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IRELAND.

A VERY opportune publication has appeared to supplement the essay of Mr. LONGFIELD on Irish tenures. It is from the pen of the Rev. Mr. LAVELLE, an Irish parish priest; and just as in Mr. LONGFIELD we found an Irish writer who really knew his subject, and could form an opinion as to what Ireland could profitably get, so in Mr. LAVELLE we have an Irish writer who knows his subject, and can tell us what the Irish fancy they ought to have. The greater part of his book consists of wild declamation against Irish landlords, past and present. He entirely ignores all arguments against his proposals, and writes altogether from the point of view and in the style of a friend of the poor down-trodden Irishman. But his sympathy with the people, and his knowledge of their feelings, enable him to put into very intelligible language what it is that he and they think England ought at once to do in order to make Ireland happy. In the first place he asks, of course, that the tenant shall have his holding for ever, subject to paying a rent, to be determined by special valuers. Then he wishes the law to prescribe how large estates may be dealt with so as to prevent the evil of landlordism. Every farmer is, moreover, to be under a perpetual legal obligation to keep at least two-thirds of his holding, in order that "that most interesting class of the community, the rural labourers," may be sure of employment. The waste lands of Ireland should be handed over, on terms to be fixed by a Commission, to tenants willing to reclaim them; a check is to be put on absenteeism by imposing on absentees a fine of one-fourth of the income they derive from Irish land; and lastly, the management of Irish capital, the development of Irish industry, the making of Irish laws, and the assessing and expenditure of Irish taxes are to be left in "Ireland's own hands." This is Mr. LAVELLE's programme, and it is the programme which he and many others of his class who think with him have laboured very successfully to make, during these last few months, the general programme of the Irish people. This is the standard by which the forthcoming Government measure will be judged in Ireland, and so far as it falls short of this standard it will provoke disappointment. It would, in our opinion, be a very great mistake for Englishmen to pass by the exposition of such a programme with a hasty contempt. Every portion of it affords matter for serious reflection. In the first place, it is based on the theory that the landlords may be taken as a class who for centuries have done grievous wrong to the country, and who must now pay the penalty of their misdeeds and give place to others who will do better. To permit them to receive their rents without the power of raising them is the very utmost that can be conceded to them. The measure, it is argued, besides working a just historical retribution, will also produce two salutary results. In the first place, it will put a stop to the possibility of aliens exercising an inequitable political control over the poor Irish holder of land; and, in the next place, it will create a vast body of small proprietors. It is quite obvious that it would do both. The landlord, if he is a mere annuitant, could have no influence whatever over the political conduct of the tenants; and the tenant would be virtually a proprietor, for he would be exactly in the same position as if he were an owner who had borrowed the purchase-money of his property on a mortgage which could not be called in so long as the interest was duly paid. Whether the landlords, being the special friends of England, should or should not receive from England, as Mr. MILL proposed, a pecuniary compensation for being put, against their wills, on a new footing, is perfectly immaterial to Irishmen; and Mr. LAVELLE properly declines to discuss so irrelevant a point. To get hold, in this way, of their own land, and to escape from the political control of aliens, are the two fixed ideas of the very large portion of Irishmen whom Mr. LAVELLE represents; and it is quite necessary that their wishes should be attentively discussed, and that if they are refused, as we

presume is probable, they should be refused on intelligible grounds, deliberately propounded, and amply defended by argument.

As the time draws near when the scheme of the Government is to be made public, attention is naturally concentrated in England on the minor details of the Bill which it is supposed can be properly proposed. But when the debates in the House of Commons begin, it will not only be inevitable, but it will be most desirable, that the discussion should take a much wider range. One of the very greatest recommendations of the Parliamentary form of government is that a question, by being discussed publicly by men of all parties, is looked at in every light, and that statesmen are forced to appeal to general principles to justify the course they propose to take. If these two fixed ideas of Irishmen are candidly examined in Parliament, there is at least a chance of Irishmen learning what are the objections to them, and there is a certainty of Englishmen arriving at some definite conclusion as to what the policy of England towards Ireland must be for the future. There are, for example, a large number of persons here who deny altogether the proposition that it is desirable that the political control of Irish landlords over their tenants should cease. They say that such a control is entirely in harmony with the English Constitution, and that it is very beneficial to Ireland, by encouraging the continuance of very wholesome social relations between the upper and the lower classes. If this is not the view by which the House of Commons is prepared to abide, then it will have to be explained to the Irish that the political control of which they complain will be minimized, if not extinguished, by measures which Parliament is prepared to adopt; as, for example, by securing the tenant against capricious evictions, by encouraging long leases, and by the Ballot. It will be most important that the Irish should be convinced, so far as they are open to conviction, that this evil, if Parliament is prepared to pronounce it an evil, of the control of landlords over the votes of their tenants will be for all practical purposes put an end to, and that they will have thus attained one of their main ends. The expediency of making small holders the proprietors of the land will also be discussed, and when it is discussed, let us hope it will be discussed fairly. Of course, if the view of the House of Commons is that to expropriate the landowners would be an act of injustice without compensation, and that the British taxpayer ought not to be burdened with the charge of finding the money, no further argument is necessary. But if it is argued that the creation of small proprietors would not really benefit Ireland, the arguments on both sides ought to be gone into and sifted to the bottom. It is said that the great landlords are necessary to lead the way in improvement, and that the Irish farmers are too ignorant and careless to make good proprietors. Neither of these arguments are sufficient, although both are very well worth considering. If the creation of small proprietorships is to be treated as an open question, the benefits of small properties, as well as their very serious defects, ought to be weighed. What reason is there to think that the small Irish tenant of to-day is less fitted to become a good proprietor than the French peasant was at the time of the French revolution? How can it be more than a mere surmise that the holders of small holdings, under the promptings of self-interest, would not learn as fast from larger owners, and from reading about and visiting well-cultivated districts, as tenants are likely to learn from wise landlords? If it is said that to make the tenant a proprietor would lead to endless subdivision of land, it may be asked whether the history of small proprietorships shows that subdivision is always pursued to the point where ruin becomes inevitable. There are a great many arguments for small proprietorships, and a great many against; and let us have them all out, so that the Irish may have the benefit of a full discussion, and be relieved from the notion that those who are determined that there shall be nothing like fixity of tenure are content to use bad arguments

because, the question being settled in their minds, it is not worth their while to take the trouble of finding good arguments.

Even the question of Irish independence must receive some notice from Parliament. Here again it would be advantageous both to Englishmen and Irishmen if the whole subject were boldly argued out. On the one hand, Irishmen might be forced to ask themselves what they mean by such phrases as the management of Irish capital, the development of Irish industries, the making of Irish laws, and the assessing of expenditure of Irish taxes, being left in Ireland's own hands. First, they may be got to see that if they mean that there should be two Parliaments of co-ordinate power in the two islands, the steady pursuance of an Imperial policy would be wholly impossible, and to ask it is to ask that the British Empire should be broken up. Mr. LAVELLE, we imagine, would reply that he did not want anything of the sort, but that all he wanted was that all purely local questions should be referred to a local assembly. No one can deny that the local settlement of local questions is a very favourite idea with Englishmen, and the only question is how far it can be advantageously carried. Matters that at first sight seem local may be really of Imperial interest and moment, and it is often very difficult to draw the line. As between Canada and England, the line may, for example, be drawn far more easily than it could be drawn as between Ireland and England. Then, again, local matters may be of so large a character that it would be doing an injury to the locality to allow it to decide them. An Irish local assembly so wholly ignorant of the principles of political economy as to think it could tell a farmer better than he knew himself how much of his land he ought to keep under the plough, might simply be submitting the country to a vexatious and profitless experiment. Both these evils are avoided by the present system of Ireland sending representatives to Westminster. But then Englishmen may find something to consider in this desire of the Irish for local independence. It is commonly said here that the Irish may be as well contented as the Scotch, who send their members to Westminster and are quite happy. But why are the Scotch happy? Because they practically get what they want. The wishes of Scotchmen are perpetually consulted and gratified. Mr. LOWE is perhaps the only Minister who has dared to refuse the real, hardened, practised Scotch beggar. The Irish representatives have had nothing like the same success. They have not been the instruments by which the local wants of their country have been met, partly because, in consequence of the great political control exercised by the landlords in Ireland, the representatives do not represent the people, and partly because the things which the Irish wanted were things which on religious and social grounds the English people, until the accession of the present Ministry, were determined they should not have. A new policy has been begun, and the time may soon come when Irishmen will get their way in the Imperial Parliament, as to Irish matters, as much as the Scotch have got it as to Scotch matters. But the time has not come yet, and it is scarcely to be expected that Irishmen should accept a possibility as a certainty. When they find that they are relieved from the political control of their landlords, and gain through the recognised means of county administration a control over their local affairs, they will, we trust, recognise that they have got all they really wanted, and have retained in their connexion with the Imperial Parliament something which at one time they did not know how to value properly.

M. THIERS ON FREE TRADE AND PROTECTION.

THE debate in the French Legislative Body on the Treaty of Commerce, or rather on the principles of political economy, is so far premature that it precedes the formal inquiry to which all parties have assented; yet a discussion which is almost entirely theoretical would scarcely have been affected by statistical returns. M. THIERS, although his vigour and ingenuity are unabated by the lapse of years, could from the nature of the case add nothing to the arguments which he has consistently repeated during his whole political life. The numerous members of the Legislative Body who share his fundamental assumptions will find that his minor premises or special propositions are supported by facts. If foreign competition with domestic industry is an evil, and if, as cannot be denied, Manchester competes with Rouen, it follows that the admission of English cotton fabrics is objectionable. The Committee which is to investigate the results of the treaties must report either that they have been entirely inoperative, or that they have enabled foreign producers to compete with Frenchmen to a greater or less extent in

their own market. M. THIERS candidly avows his belief that cheapness of commodities is an evil; and, as he looks exclusively to the interests of producers, he is logically in the right. Every person who has anything to sell wishes to obtain the highest price for his goods, and M. THIERS, like other Protectionists, forgets that the seller will in his turn be a buyer. Although the rank and character of the speaker commanded respect, while his lucid exposition attracted attention, the elaborate proof of propositions which might have been taken for granted was really superfluous. The Protectionists in the Chamber lamented, with their leader, the melancholy fact that cheap Swiss cottons ruled the price of similar goods manufactured in France. As M. THIERS pathetically complained, the native manufacturers, after vain attempts at resistance, were finally compelled to lower the price of their fabrics; and he took it for granted that French industry was the poorer by the whole amount of the reduction. It is not to be supposed that so genuine a patriot cherishes any exclusive preference for one class of his countrymen over another. After ranging over the entire field of manufactures, M. THIERS turned to the land-owners and the farmers, who suffer, it seems, from the competition of Hungarian or Australian wools, and from the proximity of the great corn depôts in the English ports. "Is it not," he said, "true that wool has become cheaper?" and several members mournfully answered that it was undeniably true. Cheap cotton prints, cheap iron, cheap wool, and cheap corn bear heavily on the resources of France; and from the beginning of the speech to the end there was no indication of a consciousness that there must be two sides to a bargain; yet it may be conjectured that the woollen manufacturers have no objection to cheap wool, and that the entire population of France is none the worse for enjoying comparatively cheap food and clothing. Although M. THIERS declared at the commencement of his speech that he was not an advocate of prohibition, all his arguments tended to the total exclusion of all articles which could be produced at home. To a protective tariff, so arranged as to make competitive importation impossible, he has naturally no objection.

If there is no difficulty in urging reasons of a certain kind against Free-trade, it is still easier to adduce authority and example for Protection. M. THIERS referred with perfect gravity and evident good faith to the policy of some of the PLANTAGENET kings who in compliance with popular demands prohibited the import of Flemish woollen cloths and the export of English wool; nor was even the wisdom of more modern Parliaments in discountenancing Irish manufactures allowed to pass without laudatory recognition. The admirable economy of COLBERT in the reign of LOUIS XIV. was the subject of still warmer eulogy, for, as M. THIERS asserted, the great Minister had not only enriched France, but ruined Holland. The tariffs of the United States were quoted with legitimate satisfaction, and M. THIERS appreciated the wisdom of Congress the more cordially because the manufacturing industry of America is of comparatively recent growth. How much more necessary was it for France to protect ancient and historical branches of production against foreign rivalry! Sir C. WENTWORTH DILKE, who is to second the Address in answer to the Speech framed by a Free-trade Ministry, ought to be flattered by the copious extracts which M. THIERS read to the Legislative Body from his work on the present and former colonies of England. As M. THIERS truly remarked, the most elaborate apologies for Protection were furnished by a nominal believer in Free-trade, who unfortunately had not sufficient faith in his principles, or sufficient knowledge of the grounds on which they were based, to detect the most glaring sophistries of Protection. It is almost a pity that M. THIERS was not acquainted with the doctrines and practice of a set of economic philosophers who are more consistent than Sir C. W. DILKE, and even than his American or Australian preceptors. The Manchester brickmakers established a cordon round the city with a radius of only four miles, and they successfully opposed the introduction of bricks made beyond their arbitrary frontier. As they attained their object by maltreating or maiming imprudent competitors, it was unnecessary for them to support their legislation by skillful rhetoric or by sham political science; but if a theorist had sprung up amongst them he would have explained to Sir C. W. DILKE that they maintained their monopoly, not for selfish reasons, but because they thought it a duty to relieve the effeminate monotony of the cotton manufacture by the vicinity of a more robust occupation which was necessarily pursued out of doors. Another Protectionist member will be disappointed by M. THIERS's suspicion that Mr. STAVELY HILL and the other reciprocity-mongers are engaged in a profound conspiracy to persuade the French that England is the chief loser by the Commercial

Treaty. M. THIERS is delighted with the American or colonial patriotism which cultivates bad iron and bad cotton goods from a disinterested fear lest the whole nation should sink into a dead level of farming. Modern Protectionists, not belonging to local Trade-Unions, are compelled to acquiesce in the demolition of the provincial monopolies which flourished in France before the days of Turgot; but all M. THIERS's arguments would justify the establishment of lines of Custom-houses round any French district which may be exposed to competition within the limits of the Empire.

In his enumeration of the superior advantages possessed by English manufacturers, M. THIERS gave more than one curious illustration of the obsolete character of his economical doctrines. England had, he said, cheaper raw material than France, both because Liverpool was a greater market than Havre, and also because India was an English possession. It would probably have been useless to explain to a veteran Protectionist that there is more cotton in England than in France because there is a greater demand for the material, and that the demand is not produced by the ampler supply. Although India is subject to English sovereignty, French purchasers are perfectly at liberty to buy Indian cotton; and when the Suez Canal is in full operation, Marseilles will be nearer the Eastern cotton districts than Liverpool. Fifty years ago it was true that the commodities produced in a colony were, subject to payment, the property of the Mother-country, which claimed for itself a monopoly of purchase. At the present day the products of India belong to England only in the same sense with the products of Brazil or of France itself. The goods in a shop-window may be figuratively said to belong to the customers who come with money in their pockets. Comparisons of the cost of production in different countries have nothing to do with the main question. Trade necessarily implies that cost prices and qualities vary in different countries and districts. Claret is imported from Bordeaux and tea from China because neither commodity can be grown in England; but it would be perfectly possible to drink nothing weaker or better than beer. M. THIERS is right in believing that a country which confines its sales and purchases to its own markets is safer from economic decay than a trading community. He that is down need fear no fall, and he that has never accumulated riches has the less to lose. It is also true that France could dispense with foreign commerce better than England, for the simple reason that the country is larger, and that it would therefore be subjected to a less rigid system of protection. For the same reason the United States and Russia can afford better than France to maintain foolish and mischievous tariffs. In proportion to the extent of a country which shuts itself up, its natural condition counteracts the perverse designs of ignorant legislators. Seventy or eighty years ago a German philosopher who knew nothing of political economy maintained that an ideal State would prohibit all foreign trade, but he added, with a gleam of common sense, that it would first be proper to readjust national boundaries, and more especially that England ought to be annexed to France. M. THIERS, having to do, not with the dreams of a pedant, but with practical policy, is unable to attain to similar plausibility. There is reason to hope that his preposterous doctrines will be rejected by a majority of the Legislative Body; nor is it impossible that he may have promoted the decision which he deprecates, by placing in the clearest light the fallacies which have on these questions always perplexed his understanding. A candid Protectionist who professedly wishes to make every article of consumption which can be produced at home artificially dear is a less dangerous adversary than the inconsistent reasoner who believes that false economy is recommended by social or political considerations.

THE QUEEN'S BENCH AND THE BRIDGEWATER COMMISSIONERS.

THE special point decided by the Queen's Bench with regard to the proceedings under the Bridgewater Election Commission was of considerable importance, but it sinks into insignificance as compared with the importance of the language used by the CHIEF JUSTICE, and with the general doctrines of law on which he grounded his decision. One of the witnesses, a Mr. LOVIBOND, had been refused his certificate of indemnity by the Commissioners, and this they had refused on the ground that he had not given his evidence in a manner satisfactory to them. The question before the Court was whether the Commissioners could refuse the certificate provided that, as a matter of fact, the witness had answered in a proper manner the questions on answering which the

issue of the certificate depended. The Judges of the Queen's Bench have unanimously decided that it is not within the discretion of the Commissioners to issue or not to issue the certificate. It must, under the wording of the Act, be issued if the witness has answered properly all necessary questions. Formerly it was for the Commissioners to decide whether the answers were proper answers or not; but according to the view of the Judges of the Queen's Bench this is so no longer. If, as a matter of fact, the answers are proper answers, the certificate must be given, and the Queen's Bench has authority to inquire whether the answers are or are not proper answers. But it is impossible to separate answers from questions, and therefore the Queen's Bench will review the questions, and the manner of putting the questions, as well as the answers themselves. The Puisne Judges contented themselves with laying down the doctrine that a witness is entitled to a certificate as an absolute matter of law, if he has properly answered all proper questions on matters tending to criminate him. But the evidence of a witness extends to many matters other than those which tend to criminate him personally. Mr. LOVIBOND, for example, was asked many questions the purpose of which was to find out whether one of the candidates was privy to the bribery of which Mr. LOVIBOND, in his answers to other questions, had acknowledged himself guilty. A doubt immediately arose whether, in order to get his certificate, a witness must answer these other questions satisfactorily. Mr. Justice BLACKBURN held that he was not so bound, and that it was quite immaterial whether he answered these questions well or ill, or did not answer them at all, so far as his certificate was concerned. Provided that he answered to the satisfaction of the Queen's Bench every question tending to criminate him, he must have his certificate. He would of course be liable to be committed for contempt if he gave no answer to these additional questions, or to a prosecution for perjury if he gave false ones, but his certificate would be safe however he behaved. The other Puisne Judges concurred in this view, but the CHIEF JUSTICE expressly said that if the witness had not answered satisfactorily questions which did not tend to criminate himself, a serious doubt would arise whether the witness would be entitled to his certificate. This was to enter on a totally different ground from that afforded by the special wording of the Act of Parliament. It was to allow that the Commissioners might refuse a certificate when the witness did not give satisfactory answers to questions which did not tend to criminate himself, and to make the granting of the certificate depend on the character of the whole examination. The Commissioners adopted precisely this view, and refused Mr. LOVIBOND his certificate because they thought his replies, taken as a whole, unsatisfactory. The CHIEF JUSTICE, however, laid down that it was not for them to judge. The Queen's Bench would decide this, and in order to judge of the general character of the answers, it would examine the general character of the questions put. The method of investigation pursued by the Commissioners generally was a new sort of method, as the CHIEF JUSTICE observed; it was inquisitorial; it was like the French method, and not like anything known to English law; and the true question was whether the Queen's Bench might not control it. The CHIEF JUSTICE objected to the whole character of the examination instituted by the Commissioners; and the grounds on which he objected give the greatest possible importance to his decision. The examination was inquisitorial, and the Queen's Bench does not like inquisitorial examinations. The Puisne Judges might be quite right on the particular construction of a clause in an Act of Parliament; many objections might be made out of Court to the temper and taste of the Commissioners; but these are trifles in comparison with the great question raised by the CHIEF JUSTICE, and that is whether inquiries instituted by Commissioners into corrupt practices shall or shall not be inquisitorial.

It is quite evident that if the Queen's Bench is to prevent Election Commissions from going on in what the CHIEF JUSTICE calls the French way, if witnesses are to answer very mild, civil questions put to them very pleasantly, and answer them so far as they like, they will never find out the truth. The Election Commissions that were held last autumn were successful precisely because they were inquisitorial. The Commissioners went on in the French method until at last they got to the truth. This is not at all an English method of investigating. The object of English criminal tribunals is not to get at truth, but to see that a kind of game between prosecutor and prisoner is played fairly. But the Election Commissioners thought they were meant to get to the bottom of things, and they asked questions on questions, and used all their power, and wielded threats of punishment and promises of

pardon until they wrung the truth out of witnesses who were at first in a state of the happiest audacity, and who, being accustomed to the English method of procedure, thought they might safely conceal everything they knew. When first it was proposed that the Judges should be charged with trying election petitions, it was supposed that they might be mixed up with some of this inquisitorial kind of work, and the CHIEF JUSTICE was very earnest in his remonstrances against the plan. He did not like that the Judges should be connected with proceedings of the kind. But when the scheme came to be worked, the Judges conceived an idea of their duties which must have removed all the apprehensions of the CHIEF JUSTICE. They looked on an election petition as a matter of litigation between two private parties with which the public had no concern. One litigant was in possession of a sort of freehold, and another litigant tried to oust him, and the Judges saw that the game between them was fairly played according to the rules of English law; and to ensure this amount of fairness, and not to find out what amount of bribery or intimidation existed in any particular constituency, was the task they held to be assigned to them. The Election Commissions were appointed to do exactly what the Judges held they were not bound or entitled to do. The Commissioners were armed with sufficient authority, and had cast upon them a distinct duty, as they imagined, to ascertain, without any reserve, the whole past history of corruption in the boroughs as to which they were instructed to report. They were very determined, very inquisitorial, very pertinacious; they never rested till they got to the bottom of the whole miserable history, and had found out who had bribed and been bribed for many years past. They were generally held to have rendered a great public service, and to have discharged a public duty with marked success; and among the most successful were the Bridgewater Commissioners. They showed up the follies and crimes of most respectable people; they brought ladies before their dreaded tribunal; they made candidates unbosom their secrets; they showed what the electioneering history of Bridgewater had been for twenty years, and they have placed the House of Commons and the public in possession of a body of evidence of the most valuable kind.

Undoubtedly they made many mistakes. They asked many foolish questions. They bullied unwilling witnesses. They talked a great quantity of tall talk. They mixed up inquiries into facts with discursive moral remarks in the same question. They were not always prudent or wise, and the choice of Mr. ANSTY was, we think, not a wise choice. But the real question is, to whom are they answerable? The public has an undoubted right to animadvert on their mode of doing business, and so has the House of Commons; but it is a very different thing if they are to be reprimanded, abused, and bitterly reproached by the Queen's Bench, as if they had committed a heinous legal offence. The public and the House of Commons would, while freely criticizing, remember and acknowledge their great services and the substantial good they have wrought. It would be borne in mind that, if they were sometimes out of temper and sometimes injudicious—although we are not aware that Mr. COLERIDGE is open to either reproach—they were three strangers in a society banded and leagued against them, with powerful and respectable men combining to conceal the truth from them, with the local papers denouncing them as tyrants, and with witnesses like this very Mr. LOVBOND acknowledging that professionally, as an attorney, he discountenanced bribery as illegal, but that in his private capacity he bribed as hard as he could. Great allowances would be made for them by those who knew how much there was to irritate them, and how ardently they had laboured in the service of the public. Very different was the treatment they received in the Queen's Bench. The CHIEF JUSTICE reviled them as if they had been criminals of the lowest class. He compared the answers of this bribing attorney, whose mode of answering had been pronounced by one of the Commissioners to be disgraceful, with the mode in which the Commissioner had conducted the inquiry, and intimated that, although the epithet "disgraceful" might be properly applied, it was with reference to the Commissioner, and not with reference to the witness that it ought really to be used. It was in the eyes of the CHIEF JUSTICE a greater offence to press Mr. LOVBOND hard, and to press him in what seems to us an indiscreet way, than to be a shuffling briber with theories about bribing as a private person, and not as an attorney. This language is obviously only to be explained by the detestation which the CHIEF JUSTICE entertains for what he calls inquisitorial investigations; and if they are very wicked and wrong, the language, though severe to persons who honestly imagined they were men of

honour, commissioned to do the public service of revealing foul practices, yet was well calculated to manifest the sentiments of the Queen's Bench on the subject, and to let it be known what are the principles on which it intends to proceed in the task of what the CHIEF JUSTICE calls controlling this new French mode of getting at the truth. This control of the Queen's Bench will make the proceedings of Election Commissions entirely useless. Perhaps it may be good law that the Queen's Bench possesses such a power, and there can be no doubt that the CHIEF JUSTICE will do all he can to put it in force, although it must be remembered that none of the Puisne Judges went nearly so far as their chief. If the CHIEF JUSTICE has, as we take for granted he has, a real horror of bribery and a perception of the enormous moral difference that separates the disgrace of bribery and old standing habits of corruption from indiscretion in the exercise of a public function, it must have been with great pain that he found himself obliged to use language that seemed so contrary to his real thoughts, in order to give the necessary stress to his detestation of inquisitorial Commissions. He may have been right, but he certainly ran a great risk of being misinterpreted; and even if he is right, he is only right in the sense that he is obliged, as of course he may be, to maintain his view of the law against the obvious intention of Parliament and the public. It is his business to expound the existing law, but it is the business of others to alter the law, and to provide either that Election Commissions shall not be appointed, or that, if they are, the Commissioners shall be secured from the control of a Court which looks on them as the enemies of all order and decency because they depart from the recognised methods of English procedure.

AMERICAN JUDGES.

FEW things are full of uglier omen for the future of the United States than that growing disrespect for the judicial body which seems to be spreading itself through the country. The stories which now reach us are widely different from anything heard before of American Judges. The worst we formerly knew of the Bench, even in the wildest frontier States, was that its occupants did not wear precisely the same awful costume and practise the same dignified usages as the Judges and Barons of Westminster Hall; but it was probable that they knew a great deal more of law than anybody about them, and that they did not flinch from applying what they knew. Even the functionary who decided the celebrated case of *Silas Fixings* was probably right in his conclusions, and certainly he was not afraid to back them. But now almost every mail brings us proof that in the largest and not the least civilized of the older States charges of flagrant corruption against Judges are of every-day circulation, and though it is every now and then urged that the character of such or such a gentleman is beyond suspicion, or that the evidence is not thought in such or such a case to warrant the accusation, nobody dreams of asserting that the corrupt taking of money or money's worth for justice by a Judge is inconceivable or impossible, or even uncommon. If Americans were in the habit of comparing the facts which fall under their immediate notice with the experience and history of other communities, they would see that this phenomenon of judicial corruption, generally believed, but acquiesced in without much very serious complaint, has no parallel or example since the beginning of civilization. Some of its mischievous consequences are beginning to be felt, not only by simple Erie bondholders, but by the English legal profession. The two branches of the English race knew curiously little of one another till the War of Secession, but there was an exception to this ignorance in the steady interchange of judicial precedents. There were certain American names which were appealed to here with scarcely less confidence than COKE or MANSFIELD. But quite recently English Judges have been known to shrink from recognising the authority of modern American cases, and, very possibly not quite fairly distinguishing between one man and another or between one State and another, have significantly inquired what these charges of corruption meant.

When an English gentleman deputed by some railway bondholders addressed the New York Chamber of Commerce the other day on the effect of the action of the New York Judges upon the interests which he represented, the Chamber broadly admitted the corrupt origin of this judicial intervention, but attributed it to the ignorance of alien constituencies. This merely meant that the Judges of the State of New York are elective, and that the Irish vote is very powerful in New York. If, however, the purification of the American judicature is not to be expected until Irishmen are debarred from voting, or

until the people give up the direct appointment of public servants, it may be long before the reputation of American Judges recovers itself. It is satisfactory, therefore, to find one of the most thoughtful of American newspapers finding the source of the evil less in the mode of appointing Judges than in the mode of admitting legal practitioners. It is in fact quite clear, from English experience, that the best security for learning and purity in the Bench is learning and a feeling of honour among the Bar. The most powerful of all forms of public opinion is professional opinion, and if the professional feeling of the New York practitioners revolted against ignorance and corruption as mortal sins in a Judge, the machinery for creating Judges would lose most of its importance. The mere discomfort of sitting in a Court full of men of greater knowledge and higher honour than himself would keep the incapable party back from desiring a seat on the Bench; and, beyond this, the experience of several communities shows that a popular constituency charged with the selection of functionaries for whom professional qualifications are required is influenced in the strongest way by professional opinion. But the American Legislatures have, we are told, adopted of late the policy of nearly open admission to the legal profession, the advocates of the measure defending it on the extraordinarily fallacious ground that there is no more reason why special conditions should be demanded for the calling of a legal practitioner than for the calling of a grocer or a butcher. As one would have thought it enough to reply that the only callings which it is best for the public interest to leave quite open are those to which the maxim *caveat emptor* applies, and that no client can possibly tell whether a given lawyer can construe a legislative enactment correctly, the only inference which can be drawn from such an argument is an inference as to the class to whom it was considered worth while to address it. But the fact seems to be that in most American States persons are now admitted to the mixed profession of barrister and attorney with the least possible inquiry into their knowledge or character. The result, we need scarcely say, is very unlike that of a lax system of admission to the English Bar. In this country the moral effects of all-powerful traditions have to be allowed for, and the effect of an undoubtedly unsatisfactory system of previous preparation is not that English barristers are unlearned, but that they are narrow. Even here, however, it is worth while noticing that the experience of the American States shows that, under a system of unchecked competition, the race is in the long run to the ignorant and the unscrupulous. Everybody of course would suppose, and we are carefully informed, that even in New York city there are many skilful and honourable practitioners; but they seem to consider it their chief duty to their clients to keep their business out of Court, and hence little moral influence is brought to bear on the Bench by men of this class.

It is very difficult for an Englishman to judge to how many American States, and even to what parts of the State of New York, the suspicion of judicial corruption justly extends. Yet there are many signs that the sacredness of the judicial office is passing away everywhere. Nobody has ventured to breathe a word against the character of the Judges of the United States, but yet there is evidently no scruple in packing for party purposes the Supreme Court, probably in some respects the most august tribunal in the world. The party now all-powerful evidently intends not merely to keep Democrats and Southern partisans out of it (which under existing circumstances would be scarcely wonderful), but to deny entrance into it to all but the extremist fanatics of its own opinions. The other day President GRANT, having two vacancies in the Court to fill up, proposed for them Mr. STANTON, the late Secretary-at-War, and Mr. HOAR, the present Attorney-General. Mr. STANTON, who was thought to be dying, was a very great administrator, but one of the bitterest of partisans. Mr. HOAR, though a Republican, is thought to be wedded to a high standard of judicial purity and independence. The Senate instantly confirmed the appointment of Mr. STANTON with almost indecent haste, but suspended its approval of Mr. HOAR's nomination. This plain intimation to the PRESIDENT that none but the extremist party appointments would be palatable to that branch of the American Legislature which is all but omnipotent is nearly as disastrous a symptom of one sort as the New York stories are of another.

THE THORNCLIFFE RIOT.

THE alarming riot at Thorncliffe, in the Barnsley district, will not increase the popularity of Trade-Unions. Not only were the rioters members of a Union, but the atrocities

which they committed were perpetrated in assertion of their right to exclude competition. As in the great majority of similar cases, the immediate sufferers were not members of the hostile body of employers, but working colliers, with their wives and children. The English and foreign delegates who met some months since at Basle pledged themselves to perpetual war against the middle-classes, perhaps without remembering, certainly without caring, that their immediate victims are for the most part the needier members of the labouring community. The severities of internal discipline among themselves are in this instance more formidable than the sufferings which are inflicted on the enemy. The capitalist may be ruined, or forced to retire from business; the non-Unionist workman is insulted, maltreated, or driven, as at Thorncliffe, with his family, out of his home. The mob of colliers appear to have behaved with a brutality worthy of their neighbours the saw-grinders of Sheffield, or of the Manchester bricklayers. Armed with bludgeons and pistols they attacked a row of houses inhabited by the obnoxious workmen; they destroyed or stole all the moveable property which they could find; and they left sick women without shelter or clothing to reflect on the crime which their husbands had committed in working for a livelihood. One poor woman has since died through the effects of their violence, and lasting injuries must have been inflicted on many of the survivors. The police appear to have acted with resolution and efficiency, and it may be hoped that further disturbances will be prevented by a display of irresistible force. It is fortunately possible to identify several of the culprits, and perhaps evidence may be forthcoming against the agents of the Union who probably organized the entire outbreak. The case will be too serious for the magistrates to dispose of, and full justice will be done by the regular tribunals. The law is happily not yet administered by juries selected, according to the audacious demand of Unionist agitators, from the very body which promotes tyrannical acts of injustice; nor will the offenders be able to plead, in the terms of a clause in the Bill of last Session, that their crime was committed in the course of a trade dispute. The provocation which the rioters may allege that they have received will be considered by the Court in passing sentence, if it appears to form any excuse for an outrage on non-Unionist workmen.

The circumstances of the quarrel between the colliers and their employers were peculiar. Messrs. NEWTON and CHAMBERS, lessees of the Thorncliffe Colliery, although they had no dispute actually pending with their workmen, served all their men in March last with notice to quit. They intimated at the same time that they were willing to re-engage any miner who would enter into a separate agreement; and, anticipating a general or partial refusal of their offer, they took steps at the same time to procure workmen from other districts who might be willing to comply with their terms. The object of the firm was to relieve themselves, on an occasion of their own choice, from the annoyance which they had suffered during a previous period through strikes and demands proceeding from the South Yorkshire Miners' Union. The question was whether they should transact their business in their own office or allow it to be transferred to the head-quarters of the Union at Barnsley. As the vexation inflicted on the employers represented the power of the organization which they defied, it is not surprising that the Thorncliffe colliers, in obedience to the orders of the Union, refused to enter into separate engagements with the firm. The proposed regulations may or may not have been reasonable in themselves, and a condition that the men should work eight hours a day if required might in itself perhaps not have provoked opposition. The principal requisition of the masters was that each workman should negotiate separately with themselves or their agents; or, in other words, that they should relinquish their connexion with the Union, unless they were allowed to deal with it merely as a Friendly Society. The miners accordingly withdrew, and the working of the collieries was stopped while the proprietors built fifty houses for the reception of the workmen who were to be imported from a distance. There seems to have been no difficulty in supplying the vacancies; but the strangers, on their arrival, were immediately subjected to the various processes of persecution which are familiar in the history of strikes and trade disputes. The men and also the women were in every possible way insulted and menaced; and it became evident that further acts of violence could only be prevented or repressed by vigorous measures. A strong force of police was concentrated in the neighbourhood, but the peaceable inhabitants complained that no sufficient protection was afforded against violence and terror. The riot which finally

occurred was but a continuance and development of the system of picketing which some advocates of Trade-Unions are so anxious to legalize. Like evicted Irish tenants, and by similar methods, the miners endeavoured to assert their right to fixity of tenure. Although their acts were ferocious and cruel, their irritation was more excusable than if it had been caused in the course of a strike by the refusal of the masters to accede to their demands. They might plausibly contend, and probably they believed, that their employers had commenced the quarrel during a time of peace for the purpose of anticipating a distant and contingent danger. The demand that they should renounce the intervention of the Union in their affairs was so certain to be rejected, that the miners may have considered that they were unconditionally dismissed to make room for more pliable servants. The issue raised was no other than the vital question whether industry on a great scale is to be a monarchy or a republic. Messrs. NEWTON and CHAMBERS insist on their right to be the exclusive managers of their business, while the miners regard themselves as partners in the government of the undertaking, though they may not directly share in the profits.

Notwithstanding the ambiguous language of the Bill of last year, which may possibly have been unintentional, the apologists of the Union have never openly vindicated the method by which the Thorncliffe miners enforce their pretensions. Only extreme theorists have claimed for the Unions the coercive jurisdiction which would, according to BROADHEAD, have rendered his assassinations unnecessary; and perhaps it would be generally admitted that, until further facilities are conceded to the Unions, the present law ought to be obeyed. Nevertheless the leaders of the Unions must be well aware that, in their contests with all but their own members, they ultimately rely on physical force. It is both easy and useless to demonstrate that men have a right to combine among themselves for the attainment of objects however incompatible with sound economy or with common sense. Associated workmen may at their pleasure starve, or by exorbitant demands they may drive away the industry which supports them; but in the majority of cases all their efforts will be baffled unless they can impose their will on those whom they find it impossible to convert to their opinions. The owners of the Thorncliffe Colliery were certain to succeed in the contest if it was confined within the limits of the law, and it may be admitted that they would have enjoyed the same advantage if the terms which they proposed to the men had been unjust and oppressive. The organs of the Unions have repeatedly declared that they look exclusively to the interests of their own class, in total indifference to the injury which may be caused by their proceedings to capitalists. It is perhaps because the employers are more powerful, as well as because they are fewer in number, that they are expected to pay regard both to the rights and to the welfare of their workmen. Between the disputants in the Thorncliffe case it would be premature, as it is unnecessary, to decide in default of thorough knowledge of all the circumstances of the earlier struggle; but it is impossible not to see that there is a third party which requires protection more urgently than either masters or Unionist workmen. The men who were assaulted and plundered were also hard-working miners, whose only fault was that they had infringed a local monopoly. It is absurd to say that they were deserters from their order who were justly exposed to the penalty of treason or mutiny. If there had been work enough in the Barnsley district or elsewhere for both sets of men, and for all other unemployed colliers, the Thorncliffe lessees would have been defeated in the field of battle which they had selected. It may perhaps be a misfortune that capital should prevail over labour where two workmen are seeking for one employer; but the result is inevitable, unless one of the workmen imposes himself by force not only on the master, who might perhaps be less entitled to compassion, but on the competitor, whom he excludes by superior strength. The Thorncliffe rioters may perhaps in their normal condition be useful and industrious members of the community, but there is no presumption in their favour when they are compared with their victims. All the Unions in the Kingdom include less than a fifth part of the able-bodied population, and probably two of the remaining fifths have also to live by labour. Legislators who measure rights by numbers will commit a grievous error if they grant privileges to guilds with numerous members at the expense of a still larger body outside.

M. OLLIVIER AND THE FRENCH PRESS.

IT must be confessed that the course of M. OLLIVIER's policy is not a little difficult to follow. Last week it seemed that he had determined at all hazards to wage war against the Revolutionary press. He had declared that he could not continue in office if the Corps Législatif refused to allow proceedings to be taken against M. ROCHEFORT. He treated the matter as too important to allow of its being postponed until after the new Press Law had been adopted, and the Court of Correctional Police was once more called into requisition just when the jurisdiction was about to pass from its hands. In short, the Minister's whole demeanour was that of a general who has that moment given the signal for an attack along the whole line. After all this bustle of preparation it is puzzling to find the battle dwindling down into an extremely petty skirmish. M. ROCHEFORT has been let off with six months' imprisonment—not, apparently, to take effect till the end of the Session—and a fine of 3,000 francs; and not one of his rivals in treason has been meddled with at all. Since the Ministry decided to prosecute M. ROCHEFORT it is probable that not a day has passed without some writer in the *Marseillaise*, the *Réforme*, the *Rappel*, or the *Reveil* giving utterance to sentiments quite as incendiary as those which brought about M. ROCHEFORT's condemnation. Yet to all these attacks on the established order of things entire impunity has been accorded. M. OLLIVIER's distinction between opinions and acts has borne no further fruit. In M. OLLIVIER's sense of the term, nearly every statement in these papers is an act, but it is allowed its free course, as though it neither could have nor was intended to have any practical application. If M. ROCHEFORT had been tried by a jury, and acquitted, this subsequent indifference on the part of the Government would have been more intelligible. M. OLLIVIER might have argued, as other Ministers have argued before him, that it is useless to institute prosecutions which are obviously unsupported by public opinion in the class from which juries are taken. But in this case the conviction has been obtained, and if the sentence seems absurdly light it is understood to be so because M. OLLIVIER wished it. Why he thought it wise to move the Court in the direction of mercy it is hard to say. Neither M. ROCHEFORT nor the Irreconcilables generally are adversaries with whom it answers to fight in gloves. They will not be impressed by the Minister's forbearance; they are extremely likely to be impressed by his weakness. If it was advisable to prosecute M. ROCHEFORT at all, it was advisable as a means of checking the distribution of incendiary matter. But six months of genteel seclusion are not likely to do much in this way. M. ROCHEFORT will probably use his pen with equal freedom in and out of prison, and even if he is prevented from writing articles during his retirement, the *Marseillaise* will be on the spot to make the sufferings of its principal editor a theme of constant and appropriate comment. The reasons against allowing the press prosecutions to begin and end with M. ROCHEFORT seem still more convincing. It was a patent objection to singling him out in the first instance that he was supposed to be specially disliked by the EMPEROR. The prosecution was regarded, or at all events represented, by the revolutionary party as a penalty imposed on M. ROCHEFORT because the electors of Paris had chosen to thrust him in the EMPEROR's face. It was unfortunate that there should be any colour given to this notion, but M. OLLIVIER might fairly insist that it was unavoidable. If a series of press prosecutions were to be undertaken, how was it possible to pass over the most conspicuous instance of defiance of the law? It would be a dangerous precedent to treat the position of a Deputy as conferring absolute immunity from the punishment of treason; and to attack the *Rappel* and the *Réforme*, while allowing the *Marseillaise* to go unhurt, would be tantamount to establishing this principle. But the force of this reasoning vanishes as soon as M. ROCHEFORT's trial is viewed as an isolated event. There was good ground for not excluding him from the common doom of incendiary journalists. There is none that we can see for making a solitary example of the journalist whom, except for consistency's sake, it would have specially been desirable not to attack.

Two explanations may be suggested of M. OLLIVIER's conduct. One is, that the general assault on these papers is to be delayed until after the passing of the new press law, and that the Government, being anxious to celebrate the restoration of trial by jury by a general amnesty for all past offences, has chosen to provide itself with material in the person of M. ROCHEFORT. A policy characterized by such obvious finesse seems made to be distrusted. An amnesty thus planned and schemed for is certain to have no effect when it actually comes. People

are far more likely to be provoked at a victim being demanded for no other purpose than to enable the Government to appear magnanimous. Besides this, the situation is eminently unfitted for this method of treatment. An amnesty is appropriately proclaimed by a conqueror after a victory; it is wholly out of place at the beginning of a serious conflict. In France the Empire and the Revolution are declared enemies. There is no pretence on the part of the Republicans that they will be satisfied with this or that reform. They demand the overthrow of the existing social fabric, and they acknowledge that their wrath is as hot against a Parliamentary Constitution as against Personal government. To talk of granting amnesties to adversaries of this sort is to prophesy deceits. They must be defeated before they can be pardoned, and for the present M. OLLIVIER will do well to give his thoughts wholly to the former task. When that is accomplished, there may be more room for theatrical surprises. The alternative explanation of the Ministerial inaction is that press prosecutions formed no part of M. OLLIVIER's own policy, and that the exception made in M. ROCHEFORT's case was a concession to the personal feelings of the EMPEROR. If the fact is so, M. OLLIVIER and his colleagues had to face—suddenly, and immediately on entering office—one of the most difficult problems of official casuistry. To what extent ought Constitutional Ministers to allow their policy to be influenced by the private wishes of the Sovereign? In the present instance it cannot be said that these wishes—supposing them to have existed—were in any way unreasonable. M. ROCHEFORT's attacks against the person and family of the EMPEROR had transcended all bounds of decency long before they culminated in the article which treated the death of M. NOIR as a mere particular instance of Bonapartist assassination. The EMPEROR might fairly plead that his assumption of the part of a constitutional sovereign gave him a claim to the immunities as well as to the disabilities of that position. If he is to be shut out from participation in the government, he ought to be protected at the same time from assaults which he can no longer punish of his own mere motion. If therefore he appealed to M. OLLIVIER, and insisted that the law should be put in force, what was the latter to do? In every constitutional monarchy the wishes of the sovereign count for something; in one in which Personal government has but just been discarded, they may naturally count for a good deal. It is impossible to apply the strict rules of English precedent to a system which was a despotism only yesterday. On the other hand, M. OLLIVIER might have held that in a matter of such political moment the decision of the Cabinet should be absolutely uninfluenced by any consideration except the safety of France. Even this resolution, however, would have been complicated by doubts whether, with Ministerial responsibility only just launched, it was prudent to strain it too hard. No one can judge fairly of the conduct of a Ministry so placed without full knowledge of all the circumstances of the case. They may have seen dangers in opposing the EMPEROR on a point so personal to himself which are hid from ordinary view. But if the prosecution of M. ROCHEFORT is to be explained in this way, it will still remain a marvel that, having gone so far, M. OLLIVIER did not recognise the wisdom of going further. There was much to be said in favour of vigorous repression; there was something to be said in favour of letting the offending journals alone. But there was nothing to be said in favour of bestowing exceptional notice on M. ROCHEFORT and the *Marseillaise*; and if, for reasons which appeared to them sufficient, the Ministry thought it best to gratify the EMPEROR in this way, they ought to have accepted the consequences in their integrity. Even if the wisdom of dealing firmly with the incendiary press had been far more open to question than it really was, there can be no doubt that it would have been wiser to persevere in such a policy when begun, than to begin it and then stop half way.

THE JUDICATURE COMMISSION.

IN former articles we have considered the recommendations of the Commissioners on the two important subjects of Pleading and Evidence. On the first head we were driven to the conclusion that a mistake—fatal if persisted in, though we hope not irreparable—was committed in the suggestion that the answer of a defendant should not be sanctioned by oath and guided by interrogatories, as is the present practice in the Equity Courts. On the second head we were able to give a hearty welcome to the recommendation of the Commissioners that the absurd practice of the Court of Chancery of taking the cross-examination of witnesses out of Court should be abolished, and that all really disputed questions of fact should be tried

by oral evidence before the Court itself. This, however, was with the express reservation that, except as to facts on which there is direct conflict, the cost and judicial time wasted by oral examination in chief ought to be saved by the very convenient method of taking the evidence in chief by affidavits, and having the cross-examination, together with the examination in chief of hostile witnesses, in open Court. Subject to these criticisms we have nothing but admiration to express for those portions of the Report.

We propose now to consider another not less important branch—we might perhaps say the most important branch—of the inquiry; and that is the proposed constitution of the new Courts. The whole theory of the Report is that henceforth there is to be no distinction of jurisdiction or procedure between Courts of Equity and Common Law. A common practice is to prevail throughout, a universal jurisdiction is to be given in every separate Division and to every Judge in cases where he may be empowered to sit alone; all separate Courts are to form Divisions of a single Supreme Court, and the Judges are to be interchangeable when occasion requires. A single Court of Appeal from every Division is to ensure harmony of decision, and there is to be no such thing heard of as the law of one side of Westminster Hall differing from the law of the other. The only possible comment on this broad doctrine is, that it is so obviously right that one is puzzled to guess why it has on all previous occasions been steadily ignored by every one who had influence enough to give effect to it.

Grand principles, however, are useless without suitable machinery to make them work, and one of the greatest difficulties in the way of the Commissioners arose from the fact that the Courts, as hitherto constituted, are very admirable machines for doing the special work to which they have been trained, but by no means so perfect for the more comprehensive duties which the fusion of the various branches of law would cast upon them. There were two modes of dealing with this embarrassment. The Judges as a body are, as every one knows, men of remarkable power, but not always power of the same kind. There are many who have great experience and skill in guiding juries, interpreting statutes, deciding on curious technicalities of pleading, and administering the comparatively simple principles of Common Law, free from the refinements and qualifications with which Courts of Equity have modified them. There are many others whose minds are familiarized with all the large doctrines and moral subtleties of equitable jurisprudence, but who lack the habit of dealing with witnesses, and are by no means at home with the technical subtleties which the system of Common-law pleading has introduced. How is all this existing supply of judicial strength to be utilized to the greatest advantage? It is clear that the different classes of Judges will be most serviceable in doing the kind of work for which the training of their whole lives has fitted them, and there are only two possible ways of making the most of their special capacities. One is to maintain the existing Courts, under the new designation of separate Divisions of one Supreme Court; to direct each Division to entertain all manner of jurisdiction, but at the same time to give it power to send to another more congenial Division any business which may be out of the track of its ancient practice; and to assist this process by originally sorting all causes so as to carry them as nearly as possible before the same Judges who would have entertained them if no amalgamation of law and equity had taken place. The objection to this mode of solving the difficulty is, that in its practical working it would (at any rate for one generation) make the whole projected reform more nominal than real. It is true that, according to such a plan, no Division of the Court would be able to say to a plaintiff, "You have come to the wrong place. We have no jurisdiction. Go elsewhere and you may find redress." But it would say, in terms which would involve a good deal of the same inconvenience, "You have brought your cause to a hearing or to a certain stage before us. We think there is another Division of the Court that understands this kind of subject better than we do, and we bid you betake yourself there, and wait till they in their turn may be ready to hear you." This would not be quite so great an evil as that which occasionally—and, be it observed, only occasionally—is encountered now when a Court of law says a case is fit only for Equity, or a Court of Equity refuses relief because the remedy is at law. The evil would be mitigated because, after the transfer, the cause might go on from the point which it had reached instead of beginning entirely afresh. Still it is a very grievous thing for a suitor whose case is ripe for hearing to submit to the inevitable delay and expense consequent upon being handed over to a new tribunal, and this

for no reason except the unequal capacity of different Judges for various classes of business.

The alternative method of dealing with the inherent difficulty of establishing a new judicature with an old staff of Judges would be to obliterate with the greatest care all the existing judicial divisions—to re-mould the Court into Divisions, taking care to put into each some Judges learned in Common Law and other Judges conversant with Equity, so that each Division of the Court might not only have jurisdiction over, but be thoroughly competent to deal with, every class of cases without the necessity of previous sifting, which would be a practical impossibility, or subsequent transfer, which would be a grievous hardship. This latter plan would no doubt incommode the Bench more than the other, and would often force Judges, with the aid of specially experienced colleagues, to study and deal with more or less unfamiliar subjects; but it is our pride to believe that English Judges, as a rule, have power and energy sufficient for any reasonable task, and would rather take a fresh burden on themselves than render nugatory a grand conception of legal reform. It is curious to notice how the Commission has swayed between the two modes of reconstruction which we have indicated. In the proposed constitution of the Appeal Court, they proceed exclusively upon the sound principle of grouping together Judges of varied experience. In the arrangement of the primary Divisions of the Supreme Court, they proceed upon the opposite principle of continuing the existing distinctions of Courts and Judges while nominally fusing their jurisdiction and procedure into one. We say nominally, because past experience has shown that no Court will effectually exercise a jurisdiction alien to its former principles and habits. Statute after statute has been passed, giving large measures of equitable jurisdiction to Common Law Courts. They have undoubtedly made some little use of it, but it is found that the character of the jurisdiction is wholly changed by transferring it to Judges not imbued with the spirit in which it has been administered. Thus the power of extracting facts from an adversary by forcing him to answer questions preliminary to a trial is now enjoyed in theory equally by Courts of Common Law and Equity. But while the Court of Chancery has always regarded this machinery as a means of discovery in the true sense of the word, Courts of Common Law in general only allow it to be used as a means of verification. What you know more or less exactly you may call upon an adversary to admit or deny. What you only suspect, you are as a general rule forbidden to ask. There are no hard rules laid down on the subject, but the tone of the Courts is so entirely different that the discovery which is invaluable in Equity is, except to a very small extent, useless at Common Law. The mode in which the Common Law Courts have narrowed their equitable jurisdiction in granting injunctions and allowing equitable defences, is another illustration of the action of the same principle—call it habit, prejudice, or what you will—from which no one is exempt till he has taken leave of his human nature. There has not been quite the same scope for its exhibition in the Equity Courts, but it has shown itself there also plainly enough. Power has long existed to summon juries and to try cases and cross-examine witnesses in open Court, and yet under the orders which have been framed, and the discretion which has been exercised in particular cases, the practice still is that in the majority of cases cross-examination takes place before an examiner out of Court, and is absolutely useless whenever the object is to shake the credit of a witness.

All this natural obstruction to the intent and purpose of remedial measures will and must continue so long as the cause continues—that is, so long as an enlarged jurisdiction is granted to Courts with contracted experience, and its necessary concomitant—contracted principles. The Commission seem to have been blind to this, and have framed their project for the re-constitution of the Courts on the vain assumption that the old bottles will hold the new wine. It would have been more in accordance with all old experience of human nature, and with all modern experience of attempted law reform, to fuse the old bottles together, and re-cast them in a form better adapted to their future functions, and it may be hoped that the Commissioners are not finally committed to the opposite policy.

CHINA AND THE EUROPEAN GOVERNMENTS.

A COURTEOUS exchange of letters between Count BISMARCK and Mr. BURLINGAME, the Chinese Ambassador, possesses the smallest possible importance. Like all other Powers to which the Chinese Mission was accredited, and with compara-

tively little interest in the subject-matter of the negotiations, the North German Confederation readily acknowledges the right of the Chinese Government to be treated with justice and with reasonable deference. Mr. BURLINGAME acknowledges that there is great diversity of opinion on the question whether the Chinese treaties ought, as they were forcibly imposed, to be maintained in efficiency by similar pressure; but his own conclusion that the continuous application of force is inadmissible is supported by the declarations of the American Government, of Lord CLARENDON, and of the Emperor of the FRENCH. The conclusion of a treaty with the United States, while other Governments confined themselves to diplomatic correspondence, is explained by the provisions which were thought necessary for the protection of Chinese immigrants in California. "A treaty," according to Mr. BURLINGAME, "being the supreme law of the land, overrides the obnoxious local legislation." It may be hoped that the people of California, who impose a special tax on the Chinese in spite of the Federal Constitution, will be impressed with deeper respect for another and newer supreme law of the land. The SECRETARY of STATE who assented to the treaty, and the Senate which ratified it, were perhaps not aware that the only object of the arrangement was the protection of Chinese labourers in California. Writers in newspapers who enthusiastically welcomed Mr. BURLINGAME and his mission said little about the immigrants, and much about the influence which the United States were to acquire by exhibiting to the Chinese Government an amicable and liberal disposition which would contrast favourably with the exacting policy of England. It has since appeared that the English Government is bent on restraining the excessive zeal of its local functionaries, and that it has readily acceded to the general doctrines which Mr. BURLINGAME was instructed to propound. It has of late been doubted whether the Chinese Government, notwithstanding its ratification of the treaty, reposed serious confidence in its American emissary, although there is no question of his perfect good faith. It happens that the American merchants resident in China utterly distrust the fine sentiments which Mr. BURLINGAME attributes to his employers; and, as the entire foreign community is accustomed to act in harmony, the benevolent intentions of the various Governments are not unlikely to meet with neglect or with passive resistance. It was not the business of the Chancellor of the Northern Confederation to be less explicit than the English or French Ministers in repudiating the contingent employment of force. It is well known that Count BISMARCK regards with insuperable aversion all resort, either in Europe or in Asia, to any but verbal arguments, and at present the commerce of North Germany with China is not of primary importance; yet if a Prussian naval officer stationed in Chinese waters were to withhold protection from a maltreated countryman he would probably find but an insufficient defence in an appeal to Count BISMARCK's recorded opinions in favour of peaceable methods.

In illustration of the readiness of the Chinese Government to appreciate the liberality of the Western Powers, Mr. BURLINGAME refers to Sir RUTHERFORD ALCOCK's recent treaty as containing large concessions to foreign trade. It happens, unluckily for his argument, that the Committee of London Merchants have applied to the English Government to abstain from ratifying the treaty. In their opinion it is better not to modify the arrangements of Lord ELGIN, except for the purpose either of obtaining some considerable advantage, or of relieving the Chinese Government from any unforeseen injustice which might be caused by the operation of the treaty. Although their general argument is not convincing, it is evident that those who are most interested in the trade attach little importance to the concessions which Mr. BURLINGAME excusably exaggerates. It is impossible for those who have neither local knowledge nor familiarity with the details of Chinese commerce to form a definite judgment of the value of the new stipulations. It is evident that the bargain which has been struck is not exclusively advantageous to Europeans, and in some instances the Chinese Government seems adroitly to have profited by the vexatious practices which it has promoted or tolerated. The claim of transit dues between one province and another had been a constant source of vexation, for the local authorities habitually affected to distrust the documents which proved that imported merchandise had paid the regular dues. Under the new Convention the Custom-house receipt is to be conclusive evidence of the payment of all taxes on imported articles; but in consideration of the convenience thus afforded to merchants the duty is raised from five per cent. to seven and a-half, and the duty on opium is increased by a separate clause. The

alteration in the tariff may perhaps be just and reasonable, but it scarcely justifies Mr. BURLINGAME's statement that the treaty provides for a reduction of duties. His assertion that two new ports, Wanchow and Chekiang, are opened to foreign trade is correct, but he omits to add that Kiang-chow is removed from the list of treaty ports. A place called Wuhu is also opened to trade, but it does not appear whether it is to rank as a treaty port. The right of foreigners to work coal mines, which is enumerated by Mr. BURLINGAME among the Chinese concessions, reduces itself in the text of the treaty to an engagement that an Imperial Commissioner shall, by way of experiment, open mines at these specified places. "The question of the employment of foreigners to assist in mines, and of using foreign machinery, will be left to give effect to" by the Imperial Commissioners." An experiment in coal-mining, conducted by an unwilling Chinese Mandarin without the aid of colliers or of mining engineers, will probably not overwhelm the Imperial Government with superfluous coal. That the Chinese Government is in no hurry to encourage steam navigation, or to provide fuel for the purpose, is proved by a singular limitation of the right which is conceded to navigating certain inland waters. European merchants must exclusively use boats of the Chinese fashion, impelled by sails or oars, but during certain parts of the course the local authorities are to supply them with a tug. The Imperial Government is probably afraid rather of the military aptitudes of steam-vessels than of their competition with native craft. When the Chinese Ambassador speaks without qualification of a right of inland navigation, he unconsciously expresses the difference between his own diplomatic communications and the policy of the Government which he represents. In his American Treaty he inserted the odd provision that the United States should furnish the Chinese Government, on requisition, with the professional aid of engineers and other scientific persons. In opening or examining its coalfields China seems to be in no hurry to profit by the right which it has secured.

Although the objections of the London Committee are entitled to due consideration, the English Government will probably support Sir RUTHERFORD ALCOCK by ratifying the treaty. It cannot be doubted that the English Ambassador has taken counsel with his resident countrymen, and also with the foreign merchants who, under the most-favoured-nation clause, will be entitled to the benefits of the treaty, if their Governments consent to undertake the corresponding obligations. Bystanders may perhaps discern advantage rather than inconvenience in establishing the principle that the Treaty of Tien-tsin is not the final rule of intercourse between China and the outer world. It is not to be supposed that the numerous details of the treaty are frivolous or useless, more especially as they were settled on behalf of the Chinese Government by the able English Superintendent of the Imperial Customs. It may be taken for granted that Mr. HART is as anxious as Sir RUTHERFORD ALCOCK to promote foreign commerce, if only because the revenue of his employers will be increased in proportion to the extension of trade. There are few more curious proofs of the rapid diffusion of modern civilization than the undertaking of the Government of Peking to establish bonded warehouses in which imported goods may be stored free of duty. In 1733 Sir ROBERT WALPOLE, then in the height of his power, was nearly driven from office by the clamour which was raised against his proposed introduction of the system; and between sixty and seventy years afterwards elapsed before it was adopted in England. In sixty years more bonded warehouses have spread as far as China; and it is even agreed that the English and Chinese Governments shall in concert frame a commercial code. In the meantime the Chinese Superintendent of Customs is to have a seat on the judicial Bench, and a voice whenever an English subject is charged with a breach of Customs' regulations; and conversely the English Consul is to take part in all proceedings for confiscation of goods belonging to English merchants. It is a further recommendation of the treaty that it is the first agreement with the Chinese Government which has not been extorted by force, for the United States and the minor Powers only followed in the wake of the English and French armies.

GROANS OF THE RAILWAY.

THE last Report of the London and Brighton Railway Company will excite many sad recollections and few pleasant anticipations. It is, as too many Railway Reports are nowadays, an apology for failure. Those who remember the high and palmy state of this line, the promises which it both made and fulfilled, the dividends which it paid and was expected to

pay, will peruse this Report with a sadness kindred to despair. It is dismal reading for the ordinary shareholders, while, as we shall presently show, it is calculated to raise the fears of the general public. It is irrelevant to our purpose to analyse the details which make up the sum of loss. So many thousands gone in one way which ought not to have gone at all, and so many thousands which ought to have been received in some other way not received at all—that is, to most shareholders, the summary of railway statistics. It is now an old, old story. So many branch lines have been constructed which nobody wanted, except the solicitor and the contractor; so many thousands of pounds paid away which have done no good to any one except engineers and Parliamentary agents. *Omnia jam vulgata.* The history of this line may epitomize that of nearly every other line in the kingdom. They have forestalled a vast amount of remotely prospective work; have given an undue stimulus to the rudest kind of manual labour; have massed at certain points thousands of men who, under the impetus of a sudden demand and high wages, have married, had children, and are now assailing the Poor-law Unions with clamours for food, or charitable associations with clamours for assisted emigration. This wretched policy—paralleled on so many other lines—must account for the first three items very summarily noticed in the Report before us. But, weighted as is the balance with the heavy drawbacks consequent on annulled contracts and abandoned lines, these are nothing when compared with another on which the Directors dwell with plaintive emphasis. This is the New Cross accident, which has cost the Company no less than 45,000*l.* in one year.

There is something peculiarly touching in the way in which the Directors bewail this great calamity. Of course every accident which smashes numbers of people is lamentable in the extreme. But this is hardly the point of view from which the London and Brighton Directors regard this accident. It is true that six hundred poor people were in a greater or less degree mutilated and contused by this disaster; that many families were rendered miserable and some helpless, and others reduced from competence to indigence. But these are not the things which touch directorial hearts. The grief and pain of the thing consist, not in the sufferings of the smashed victims or the hapless survivors, but in the pecuniary mulct thereby inflicted on the Company. There is a rustic simplicity in the account given by the Directors which is quite affecting, and which we should in vain attempt to imitate. So we will give it in the words of the Report:—"The New Cross accident occurred on the 23rd of June last to an excursion train returning from the Crystal Palace on the occasion of a fête of the Licensed Victuallers' Society. The train was provided at a low rate, the Company only receiving about 17*l.* for carrying about 600 persons 15 miles, and the return of the train was fixed at a late hour to accommodate the parties. While collecting tickets at New Cross, it was run into by a goods train. The ticket platform was protected both by the usual station and distance signals, and by an auxiliary distance signal, erected some years since at the suggestion of the Board of Trade. These signals were all displayed, the night was clear, the goods train not a heavy one or pressed for time; the driver, who was an old and trusted servant of the Company, knew that the excursion train was close before him, yet he ran his train past these signals with sufficient force to cause a collision." Is not this delicious? The Company started an excursion train, not with any view to filthy lucre—certainly not, for it only got 17*l.* for the whole job—but simply to oblige that poor and unimportant body, the Licensed Victuallers. So disinterested was their kindness that, to accommodate these poor "parties," the return of the train was fixed for a late hour. Could anything be more considerate? To volunteer an excursion train, all for the small sum of 17*l.*, and to postpone its return till a late hour expressly for the convenience of a worthy but unworldly race of men to whom late hours and excursions of all kinds are so unfamiliar that a long day at the Crystal Palace was an object of primary moment. What philanthropic act could transcend this? And then they had taken all the usual, and more than the usual, precautions. There were station signals, distance signals, auxiliary signals. More than all these, the night was clear, and the goods train not pressed for time—driven, too, by "an old and trusted servant of the Company." Yet, with all these precautions, the smash came. The old and trusted servant of the Company "ran his train past these three signals with sufficient force to cause a collision." Many passengers were foolish enough to suffer accidents, of which the Report frankly admits that "some, no doubt, were serious, but the great majority

"were mere bruises and contusions of a comparatively slight character"; it being, of course, so very easy to estimate the total injury of which these contusions and bruises are only the outward signs, and it being the duty of all right-minded passengers, who only pay 17*l.* for an excursion, to be prepared for a large allowance of contusions and some "serious accidents." How many of these passengers have been laid up and prevented from following their ordinary pursuits in life, the Directors probably have never troubled themselves to consider. What they do know and feel is that they have to charge the enormous sum of 45,000*l.* against the revenue of the year for costs and compensation incurred through this luckless accident. And this is, in their eyes, not only an injustice, but a scandal. Had it not been for this, they might have paid a dividend of 22*s.* 6*d.* per 100*l.*; as it is, they will only pay 10*s.*

This is hard on the shareholders, we admit. But we trust that we may be permitted to mingle with our sympathy one simple suggestion. The arrangements for the poor Victuallers were excellent, so far as they went. The signals and the clear night were admirably provided. But may we be pardoned for inquiring, with due humility, How came it that the "old and trusted servant of the Company" wholly disregarded the signals? Old and trusted servants generally know their masters' moods and humours. They know the meaning, not only of what their masters say, but of what they do not say. They know when the contrary of what is said is meant, and when profession means nothing. Now is it not just possible that when the driver saw all these signals, he may have said to himself, "Signals! signals be d—d! 'they's put up just to make a show, that's all; I know what 'they means.'" And if he did say or think this, had he not some justification for it? Had not one, and more than one, Inspector under the Board of Trade reported that all the rules, &c., issued by Railway Boards were issued not to be obeyed, but to be produced in justification of the Directors when an accident had happened? And have not accidents happened numerous enough and deplorable enough to justify this belief? Did not the Abergele accident prove it? Did not the Carlisle accident prove it? Does not the daily administration of almost every English railway prove it? But this old and trusted servant might cite higher authority than the principles—or what he considered to be the principles—of his own Directors. He had the authority of the high official who is appointed and paid to look after the railways and see that they treat the public fairly. He had the authority of that eminently just and liberal President of the Board of Trade, Mr. BRIGHT, who had snubbed one of his own Inspectors for venturing to point out the systematic disregard of its own regulations which a powerful Company countenanced in its own servants. If Mr. BRIGHT, paid by the public to look after its interests, and to protect it from the greed or carelessness of great Railway Companies, pooch-pooched all complaints, and said that it was a matter of buying and selling, and that the State ought not to interfere with commercial companies, the Directors were sure to square their conduct to this *dictum*. And if the Directors acted on such a principle, how could a simple driver act otherwise?

This is not all. This Report shows that Mr. BRIGHT's words have penetrated to the recesses of the Directorial mind. If the PRESIDENT of the BOARD of TRADE regards railway accidents just as he regards sanded sugar, dusted pepper, adulterated tea, poisoned beer, unjust weights and measures, may he not second the efforts of the Company to limit the liability of Railway Companies for the accidents which are caused by their mismanagement or neglect? If he thinks it an old-fashioned and ignorant policy to protect poor people from being cheated or poisoned by enterprising shopkeepers, it is natural to infer that he thinks it a very ignorant and narrow policy to protect poor passengers from being mutilated by enterprising Directors. What business has a buyer to invoke State aid to see that he gets wholesome provender and just measure? What right has a man who has paid only a small fraction of 17*l.* for his fare to invoke it against being smashed, or for indemnity after being smashed? The great demagogue of trade has spoken in this sense already, and the railway authorities may reasonably presume that he will speak in this sense again, and betray the public, whose servant he is, in order to protect the railways, whose censor he ought to be. As it happens, this is exactly what Mr. BRIGHT has done since the Report before us was issued. The confidence of the Brighton Railway Board in the support of their official patron has already been justified; for only on Thursday last Mr. BRIGHT told a deputation that he thinks it very hard that Railway Companies

should be worried by law-suits got up by "hungry lawyers," and that he considers the claim to an arbitrary limitation of liability for reckless injuries to life and limb is a "just" claim. So we know what we have to expect. We may be prepared to see a Bill brought into Parliament restricting the amount of indemnity payable by these Companies to their victims; and when such a Bill is brought in, Mr. BRIGHT will doubtless support it, and tell the world that passenger traffic is, after all, only a question of *caveat emptor*. It is to be hoped, however, that it will require more than his influence to change one of the most settled principles of English law. The Railway Companies undertake to carry passengers safely from one place to another. For this purpose they enjoy certain rights and privileges. If by carelessness, mismanagement, or blundering they kill or wound their passengers, they are liable, like omnibus companies or any other public carriers, to make compensation. No hard and fast rate of compensation can be laid down in these any more than in other and similar cases. This must be estimated by a jury according to the merits of each case. To restrict it within arbitrary limits would be not only to invade the right of juries, but also to prefer the interests of railway shareholders to the preservation of human life, and all the conditions which make life either valuable or tolerable. To this level we do not believe that the English Parliament ever will descend, though Mr. BRIGHT may try to persuade us that, if poor folks eat garbage and rich folks swallow poison, it is cruel and impolitic to legislate against the dishonest shopkeeper who retails the one and mixes the other.

THE BYRON MYSTERY AND MRS. STOWE.

A SINGLE week has showered upon us a perfect hailstorm of publications on the Byron Mystery. It is some satisfaction that the tempest has now spent itself. We cannot congratulate ourselves that the heavens are clear, and that we have the serene blue sky again. The murky darkness is as thick as ever, but as we see no signs that it will ever be cleared away, we may resign ourselves to the impenetrable cloud, and pick our way out of it as we can. Mrs. Stowe has re-stated her case; with quite as much haste as good speed the *Quarterly Review* has rejoined to Mrs. Stowe's reply; the *Times* has assumed the grave office of impartial judge; one of the ablest of the American newspapers, the *New York Tribune*, has also taken the assessor's seat and has administered impartial justice between the advocates of Lord and Lady Byron respectively; and the feeble folk have had their small say. It remains for ourselves to explain, with such conciseness as we can compass, our reasons for stating that our judgment, which will be variously esteemed as consistency or perversity, remains, if not precisely yet substantially, where it did when the matter was first broached last September.

The *Times*, which, for reasons which will be more apparent as we go on, we shall adopt for its arrangement of the case, states the present position very well; and since the article which appeared on Thursday, January 20, sufficiently fulfils its claim to a judicial character, we shall follow its summing up. And first about Mrs. Stowe's *History of the Byron Controversy* just published. Its object is twofold—first, to vindicate herself for publishing the article republished in *Macmillan*, the *True Story*; and next, to prove the charge of incest against Lord Byron.

On the first head we cannot congratulate her on her success. She has done something, but very little, in the way of vindicating her judgment and discretion for telling the tale at all. She has done absolutely nothing in the way of exculpating herself from the charge of telling the tale in the worst possible taste, contrary as we believe to Lady Byron's intention; in unjustifiable interference with a confidential trust given, not to her, but to Lady Byron's trustees; and with only one lamentable result, that the whole world of England and America has been flooded with a foul torrent of abomination, and with a literature of nastiness which is absolutely unparalleled in the records of human depravity and sin. On Mrs. Stowe rests the entire responsibility of the scandal and horrors which have been evoked; that responsibility she accepts and glories in, and we do not envy her such complacency. She is satisfied with her motives; we can but pronounce on the result. While we acquit Mrs. Stowe of being influenced by mere hiring motives, and while we admit that she may well be excused for an honest indignation against the attacks on one whom she thought proper to consider her special friend, we must repeat that she has made a grave mistake in claiming the right and the duty to speak at all; and as to the manner in which she first spoke it seems that she is rather ashamed of it when, as now, she pleads exhausted health and shattered powers as an excuse for the feebleness, which is not the right word, of her first publication. On the question of the propriety of publishing the *True Story*, and on the judgment displayed in the mode of telling it, we give, as we have given from the very first, an unhesitating condemnation of Mrs. Stowe. Lady Byron did not accredit or commission Mrs. Stowe to speak in her behalf and in her name to the whole world; her story she entrusted to certain trustees, and in them, and in them alone, she vested the discretion to tell her story,

and if to tell it at all, how to tell it, and when to tell it. Lady Byron asked Mrs. Stowe's opinion on a certain point, and Mrs. Stowe gave it, and there the matter ought to have ended. Lady Byron made certain revelations to Mrs. Stowe, but only as she had made them to scores of other people. It is possible that, had Mrs. Stowe asked permission to be retained as Lady Byron's advocate, she might have got it; but she did not ask for such an office, and therefore it was not given her, and she was consequently not provided with whatever documentary evidence might have been forthcoming to prove the case. The result of such officious and self-imposed interference of Mrs. Stowe on Lady Byron's behalf is that Lady Byron has been subjected to the bitterest and gravest attacks, and that for the first time a distinct and plain issue has been raised and a dilemma forced upon us all, one horn of which is that Lady Byron has herself been guilty of the vilest and grossest slander, and has herself invented the foul accusation against her husband. Mrs. Stowe has imperilled the character of her friend, and she pleads her good intentions. This is not the first time in Mrs. Stowe's literary career that her good intentions—that is, her weak judgment and passionate and undisciplined temper—have sown a crop only to be watered with blood and tears.

But about the *True Story* itself. Is it true? As the horrid discussion has gone on, this question has been very much narrowed. We have got rid of much of the dust and misrepresentation which was at first thrown up about it. It is at last fairly admitted, even by one (the *Times*) who decides against the story, that "Mrs. Stowe is giving us, without any important error, a communication made to her by Lady Byron thirteen years ago." And further, that Mrs. Stowe did not mistake or exaggerate Lady Byron's communication; that Lady Byron was not in her dotage when she made it, but that there "is no doubt whatever that Lady Byron meant to assert the cause of the separation, the root and branch of the whole matter about which such unnumbered and unnameable surmises and suspicions have floated about the world for half a century, to be an incestuous intrigue between her husband and his half-sister." Further than this, the *Quarterly Review* admits that this charge is as old as the separation itself; that it was pointedly referred to by Shelley as having been in existence before September 1816; that it was "brought under the noble poet's notice before he left England"—that is, on 25th April, 1816; that it had "got into circulation" and was the subject of a direct communication addressed to Lady Byron by Mrs. Villiers before 20th February, 1816—that is, a whole month before the separation was arranged and settled, and just about a month after Lady Byron had left, or had been ordered out of, her husband's house in Piccadilly. Further still:—if it is not frankly admitted, it is scarcely, and only with the greatest and most ambiguous qualification, denied that the substance of Lady Byron's communication to Dr. Lushington and to Sir Samuel Romilly embodied the charge of incest. And it is "the fact that Byron signed the deed of separation rather than go into Court." And it is also "a still more significant fact that Dr. Lushington, after one interview with Lady Byron, took at once a decided and inexorable course such as no lawyer would adopt on other than what he believed to be sure grounds." Moreover, it is a fact that Lady Byron has openly declared that, "if the statements on which Sir Samuel Romilly and Dr. Lushington framed these opinions were false, the responsibility and the odium should rest with me only." And it is also a fact that, though Lord Byron insulted with the malice of a fiend Sir Samuel Romilly's sad memory when he was safe in the grave, he never ventured to whisper one word against Dr. Lushington, who is still alive, and still able, if he pleases, to defend and vindicate the propriety of the advice which he gave. These, we repeat, are facts—undeniable, inexorable facts. "It now comes to this"—we adopt the *Times*—"was Lady Byron wilfully false, or a monomaniac, or deceived by appearances and by Lord Byron's own habit of mystification? If it can be proved she was none of these, then she must have spoken the truth." After Mrs. Stowe's second publication the *New York Tribune* thus sums up the case:—"It has been shown, 1. That Lady Byron did charge her husband with incest; 2. That, according to her statement, he acknowledged his guilt; 3. That her conduct at the time of the separation, and afterwards, was consistent with a belief in the charge." And the same journal goes on to observe that "the supposition that Lord Byron in one of his freaks of mystification accused himself of a sin he had never committed seems to us a very gross violation of probability, and irreconcilable with his subsequent behaviour. The idea that Lady Byron could have deliberately invented this story is preposterous, and her character stands so high, especially for truth and justice, that her veracity must be taken for granted. There remains then only one theory upon which Byron can be acquitted; that is, the theory that Lady Byron was the victim of hallucination"—which theory the *New York Tribune*, after patiently investigating, declares to be utterly untenable, and contrary to the evidence, theoretical as produced by Dr. Forbes Winslow, indirect as furnished by Mr. Robertson, Mr. Crabb Robinson, and Lady Byron's whole life and character, and direct on the evidence of Dr. King of Brighton.

And here we may be permitted to observe that we have a right to demand of Lord Byron's partisans to agree upon one line of defence for their "noble poet," and to maintain it at all hazards. All their theories cannot be equally true; the one destroys and is inconsistent with the other. The hallucination theory on Lady Byron's part is fatal to the mystification theory on Lord Byron's

part; the suggestion that Lady Byron did not invent the story, though she professed to believe in it, is not altogether consistent with the parallel admission that she was incapable of falsehood. "Now that Lady Byron has stated it explicitly," says the *Times*, "we have neither right nor reason to say 'No, that is not it; it is something else.' Lady Byron was a sane and truthful woman, and we must take her bare word that she demanded a separation from her husband because she believed him guilty of incest." But though it is quite plain that all these inconsistent and contradictory theories, advanced at various times and on various authorities by Lord Byron's partisans, cannot be equally true, and though we have a perfect controversial right to urge this inconsistency and to demand one single ground to be taken by those who impugn Lady Byron's statement, to call on them to take up their line of defence and to stick to it, it is unquestionably possible that any one of them may be true and may be fatal to the *True Story*. We proceed to examine them; and they resolve themselves into one of these theories:—

1. The hallucination theory.
2. The mystification or "bammung" theory.
3. The *Quarterly Reviewer's* theory, which, as it has never been directly stated, we are compelled to state for that journal, and which, though never expressly or explicitly, we had almost said never candidly, avowed, we must say, if it amounts to anything, consists in charging Lady Byron with wilful, systematic, deliberate falsehood, and with inventing the charge out of her own false and wicked imagination. These three views we shall discuss *seriatim*, but as briefly as our space will permit.

We dismiss without examination the view still feebly maintained by the more obscure Byron advocates, that Mrs. Stowe never had any authority from Lady Byron for the substance or details of the *True Story*. The *Standard* has still the desperate courage to say "that it is not at all improbable that the whole story of the sensational interview with Lady Byron is a fiction, and that Mrs. Beecher Stowe has conceived the filthy tale of incest precisely as she conceived *Uncle Tom's Cabin*," and the *Standard* does not "believe so ill of Lady Byron as to believe she did any of those things of which she has been accused by Mrs. Stowe." The *Standard* is quite welcome to say all this, and to settle issues, say with the *Times*, which "agrees that Mrs. Stowe is giving us, without any important error, a communication made to her by Lady Byron thirteen years ago."

We proceed to the "hallucination" theory. This view we have already met by anticipation in our previous remarks. It is scouted by the *Times*, which argues:—"Was Lady Byron under an hallucination? Dr. Forbes Winslow has given his opinion against the possibility of this, and we need not waste time and space by adducing the testimony there is in abundance that she was a singularly practical clear-headed woman. Her husband satirized her more than once for her careful and precise way of thought and conduct. We cannot admit either of these explanations"—namely, of hallucination, or of Lady Byron being wilfully false. We will only remark that hallucination is a pompous polysyllable, and that in this painful controversy it has been mostly employed by those who, not knowing what to think, take refuge in a vague phrase from inability or unwillingness to face the facts and evidence of the case. We now only mention it because the *Spectator*, a most respectable authority, and one which has throughout treated the subject with great impartiality and in a good spirit, at last thinks "that Mrs. Stowe's explanation of Lady Byron's letters written to Mrs. Leigh is far more improbable than the supposition that Lady Byron's mind was disordered on the special topic of this terrible element in her life." With the *Spectator* we confront the *New York Tribune*, one of Mrs. Stowe's severest critics, who pronounces, not only on Dr. Winslow's but on Dr. Maudsley's testimony, that the human mind is never unsound on one point, but being unsound expresses itself in a particular and special morbid action; that Lady Byron's mind was not unsound, and that she was never suspected of general insanity, and therefore concludes that "the hallucination theory is destroyed," and that it has been shown—1. That Lady Byron did charge her husband with incest; 2. That according to her statement he acknowledged his guilt; and, 3. That her conduct at the time of the separation and afterwards was consistent with a belief in the charge, and "that the supposition that Lady Byron could ever have deliberately invented the story is preposterous."

There remains the mystification theory, which deserves notice chiefly because it is finally adopted by the *Times*. That it is so adopted seems to us very curious. The article which reviews Mrs. Stowe's second publication is written in a thoroughly impartial and judicial spirit. The judge goes through the evidence with great care and minuteness, on every point he charges the jury in favour of the *True Story* and Lady Byron, decides against the allegation of Mrs. Stowe's untruthfulness, against the allegation of Lady Byron's untruthfulness, admits that Mrs. Stowe's explanation of Mrs. Leigh's letters is an hypothesis more tenable than that Lady Byron was either a monomaniac or wilfully false, and then concludes this whole chain of reasoning, so complete and consistent, against Lord Byron, by adopting the mystification theory. Never were premisses and conclusion more at variance, and it almost looks as though we were indebted to two hands for the *Times'* article, to one of whom may be assigned the whole argument which goes one way, to the other the conclusion which contradicts it. But there the mystification theory stands; it is adopted by this most respectable authority. It is not avowed by the *Quarterly*; it is

scouted by the *New York Tribune*; it is not even adverted to by the *Spectator*; the lower luminaries of the Byron party will have none of it, as they cannot have while they cling alternately or alternatively to Mrs. Stowe or Lady Byron's deliberate falsehood theory. But the *Times* adopts it. Mrs. Stowe calls it the "bammering" theory—a word which is, we suppose, the Doric form of bamboozling, and was originally used by a writer in *Blackwood*, in an article which, though not, as Mrs. Stowe thinks, by Wilson, was of course adopted by him as editor. Here we must draw a distinction; the mystification attributed to Byron is used ambiguously. In the one sense, it is connected with that morbid disease which certainly did affect Byron, and to which we shall hereafter advert; in the other sense, it merely means, as the *Quarterly Review* first put it in convenient French, that Byron had "a morbid peculiarity," "a morbid fancy for mystifications," "a tendency to be le fanfaron des vices qu'il n'avait pas"—a little funny fancy of which Lady Anne Barnard produces an instance in "the philosophical experiment" by which he wished by a piece of cruel acting to ascertain the value of his wife's resolutions and tenderness. It is well that we are favoured by Byron's advocates with this view of the "noble poet's" character in another language, because it would hardly do to express it as an apology in honest English. What it comes to is this, that for the mere sake of torturing and agonizing his young wife he pretended to have committed incest with his sister, and even proceeded to overt acts in his wife's presence to confirm his mystification, or his simulated insanity; and that all this was only a "bad," if rather naughty, "jest," which she ought to have seen through and laughed at. A glorious picture this of the "noble poet," and a pleasant joker this, though it sounds like the fiend's arch-mock. To destroy not only his own honour, but to fasten on his innocent sister the foul charge of the vilest of crimes, merely as a jest as regarded himself and merely to torment his bride. We wish to speak deliberately and without passion; but of the two crimes—that of incest, or that of pretending to have committed incest, with its consequences of ruining his sister's reputation and his wife's peace for ever—we fully believe that the last crime is the worst and entirely the most improbable. The *Times* cannot believe in Byron's guilt because "it is so horrible, so unlikely." We cannot believe in Byron's studied mystification and pretended incest, because it is even still more horrible, still more unlikely. The miserable records of sin forbid us to conclude that the crime of incest is impossible, and though it may be a characteristic, and not an ungenerous though a weak characteristic, of the English mind resolutely to refuse to believe in what it does not like to face, we must conclude that many a brother and sister must have been guilty of incest; yet as far as we can recall the records of human depravity, Lord Byron stands alone, if this theory is true, the solitary instance since the world began of a man charging himself and his poor sister with incest for the sake of tormenting his wife.

But what those who adopt this mystification theory seem to fail to see is, that this explanation does not meet the real difficulty of the case as it stands. This mystification theory clears Lord Byron of the actual crime of incest by convicting him of a crime which is of equal if not greater magnitude, to be sure; but it leaves another, which is the main, difficulty untouched. That difficulty consists in Lady Byron's letters to Mrs. Leigh. We, however reluctantly, believe that Lady Byron's charge is proved, because it is supported by evidence, and the evidence is all on one side; but whether we believe that Lady Byron's charge is true, or whether, with the *Times*, we believe that she was only mystified, or, with *Blackwood*, that she was "bammered," her letters to Mrs. Leigh remain the difficulty of either view of the case. And we have never concealed our conviction that they are a difficulty—the difficulty. But on either hypothesis, ours or that of the *Times*, Lady Byron believed in the charge, and yet, though she believed it, she wrote the affectionate or fawning letters to Mrs. Leigh. Lady Byron might have been, as the *Times* says, the victim of her husband's wicked fiction; but, "being a sane and truthful woman, we must take her bare word that she demanded a separation from her husband because she believed him to be guilty of incest." Whether this belief was founded upon true grounds or not makes not the slightest difference in the world as to the difficulty of the Leigh letters. Lady Byron believed, and yet she wrote the affectionate "dearest Augusta" letters. The *Times* has to account for this just as much as we have. The *Spectator*, and of course the *Quarterly*, argues that the affectionate and confidential letters to Mrs. Leigh, expressing as they do the deepest gratitude to her, are wholly inconsistent with the view that Lady Byron believed what Mrs. Stowe attributes to her. But the *Times* "believes that she believed it," and the *Times* therefore is bound, as much as we are, to meet the evidence of the letters. The three views it is better to state in a parallel form:—1. The *Quarterly* disbelieves the charge of incest, and disbelieves Lady Byron's belief in it, because the Leigh letters are inconsistent with such belief; 2. The *Times* disbelieves the charge, although it believes in Lady Byron's belief, and although, not without difficulty, it believes that the Leigh letters can be reconciled with Lady Byron's belief; 3. Others believe in the charge, and also believe in Lady Byron's belief, and also believe, although not without difficulty, that the Leigh letters can be reconciled with Lady Byron's belief. It is plain that in the last two cases the difficulty of the Leigh letters is common to each view.

We have already and elsewhere expressed some opinion upon the Leigh letters. And that opinion seems to have angered

the *Quarterly Review*, which complains of certain "illiberal insinuations, based on the opportune appearance of these letters, which the common courtesies of literature ought to have protected the Reviewer from." We never said that the letters were not genuine, nor did we insinuate that they were not genuine. We say that they are called and carefully selected. We say that we have not got them all, which is perhaps a real mercy, seeing, as we are now told, that they are "enough to fill a moderate volume." We say that some of them, as is admitted, are fragmentary. Or, as anything we say on this subject is most likely to be treated as illiberal and discourteous, we adopt the language of the *Times*:—"Though the *Quarterly Reviewer* anticipates the objection, there is something strange and mysterious behind those letters. One was written to show to Sir Ralph Milbanke. They are fragmentary; we require the context—the whole of the correspondence. Above all, if we admit that they do away with the existence then, or shortly after, of the writer's belief in the crime narrated by Mrs. Stowe, we must consider the 1856 story an hallucination or a malignant falsehood, and this, for other reasons, we decline to do." Having said this, or what is substantially this, on former occasions, we see no reason to modify our opinion on account of the additional letters from Lady Byron printed in the *Quarterly Review* just published. They are *ejusdem farinae*, and worth as much and as little as those which have already been given to the world from the same sources. One, and one only, of them to which we have already adverted is of capital importance. It appears that Mrs. Villiers had in the middle of February, 1816—that is about a month after Lady Byron had left her home—heard "the report, which had got into circulation about that time, of the guilty connexion between the brother and sister," and had in consequence addressed Lady Byron on the subject. This is Lady Byron's reply:—

Mivart's Hotel, 20th Feb. 1816.

My dear Mrs. Villiers—I consider your letter as a very kind proof of the justice you do to my feelings, which are by no means so absorbed in my own distress as to forget those of others, who, perhaps, suffer still more. I deeply regret the reports which have been circulated relative to the cause of the separation between Lord B. and myself, and none can occasion me more sorrow than that which you mention as reflecting on Mrs. Leigh's character; but as I can positively assert that not one of the many reports now current have been sanctioned or encouraged by me, my family or my friends, I cannot consider myself in any degree responsible for them.

During my residence under the same roof with Mrs. Leigh, all my friends have heard me express the most grateful and affectionate sense of her good offices towards me; and before I left the house, I wrote of her, and spoke of her, in those terms to every one who was intimate with me.

In the present state of circumstances you must be aware that a publication of the real grounds of difference between Lord B. and myself would be extremely improper, and, in conformity with the advice I have received, I must abstain from any further disclosure. It is very painful to me to be obliged in consequence to appear less confidential than I wish towards you. I have been with my father ever since I came to town, of course wishing to be as unobserved as possible; and it is insisted upon by my legal advisers that I shall have no communication with Piccadilly. I must ask free indulgence for this answer. You do not know the extreme perplexities and miseries of my present circumstances, or I should feel secure of it. At least, believe me, my dear Mrs. Villiers, yours most truly,

The Honourable Mrs. Villiers.

A. I. BYRON.

The *Quarterly Review* anticipates the very natural reflection which will present itself to the readers of this letter, that it does not say one single word as to Lady Byron's own belief or disbelief in the charges made against Mrs. Leigh. Lady Byron says that neither she nor her family nor friends sanctioned or encouraged those reports; and further, that as to the real grounds of difference between her and her husband, she was advised, and she meant to follow the advice, to abstain from any further disclosures. The *Quarterly Review*, however, says that "this letter was understood to be an unequivocal denial of the report, and that Lady Byron meant and knew it to be so understood." And that "if any but the frank and fair interpretation"—namely, that at that time Lady Byron did not believe in the charge of incest—"is to be put upon this letter, we must cease to regard the writer as a gentlewoman." And then we are solemnly warned and told that "it is pitiable and degrading to be obliged to anticipate such evasions and this kind of sophistry." Hard and uncivil words break no bones, and perhaps this taunt does not apply to us. But whether it does or not, we must say that this letter to Mrs. Villiers is a cold, constrained, cautious, and, we do not mind saying it, evasive one. If Lady Byron had meant unequivocally and unambiguously to say that the report was false and unfounded, and that she did not believe and never had believed a word of it, we should have thought she would have written a very different letter from that which she did write. It ought to have contained some frank and honest horror at the charge, some feeling for the victims of it, considering that they were her husband and his only sister, some indignation, some free and fervid denunciation of the vile slander. Instead of all this, Lady Byron says that neither she nor her friends sanctioned or encouraged the report, and that she was not responsible for its circulation; and that she meant to hold her tongue as to the real grounds of difference. It will be replied, or rather it is already replied, "that the credit of the writer of these letters will not be enhanced by supposing that she purposely used words calculated to convey a false impression of her thoughts." But if this is said, what is that to us? It may be much to "Mrs. Stowe, and to others of her school." But the *Saturday Review* is not Mrs. Beecher Stowe, nor of Mrs. Beecher Stowe's school. We venture to remind all concerned that the position which we occupy towards this painful dispute stands alone. We are not, it is superfluous to remark, Lord

Byron's partisans. We are not Mrs. Stowe's advocates; neither are we Lady Byron's partisans. We are not of those who propose to themselves the holy task of defending the "noble poet," or who think it a kind and good deed to bring *Don Juan* into family use. Of Mrs. Beecher Stowe we have expressed our opinion with more precision than politeness; and as to Lady Byron, we do not join in her apotheosis; we do not maintain her to be Christ-like or saintly or heroic in any degree. We do not understand her character, and we do not sympathize with it, perhaps because we are not good enough to appreciate it. If, as we are told, the Leigh letters are perfectly inconsistent with the God-like qualities attributed to Lady Byron by Mrs. Stowe, and if, when she wrote them, she believed in the charge of incest, she must be convicted of insincerity, double-dealing, hypocrisy, and dissimulation which is enough to make angels weep, what is all this to us? We have never represented Lady Byron as a paragon; her character we dislike and her conduct in many respects we disapprove. We fully believe that she fully believed in the charge. Moreover, we are compelled to believe that the charge was in itself true. Moreover, we believe that the Leigh letters are genuine, and therefore we disapprove of Lady Byron's conduct as regards them. But because we think that she was utterly wrong in treating Mrs. Leigh—or, for the matter of that, treating her husband, in relation to the charge—as she treated them, it does not, and ought not, to follow that it is quite incredible that she did so act. The *a priori* objection that she could not so act is disproved by the evidence that she did so act. For evidence it is. We have Lady Byron's distinct and unimpeachable testimony that she did act in a certain way (we think a wrong way), and because she knew certain things; and then we are met by the obstinate, unreasoning objection to her testimony, that it must be false because we think the conduct which it proves is wrong in itself and indefensible. But whilst we are as far as even the *Quarterly Review* from vindicating Lady Byron's conduct in these particulars, we can, we think, to some extent at least, account for it, and therefore in some measure extenuate the apparent duplicity of the Leigh letters. Mrs. Stowe is not a person of high intellectual gifts, and she does not know how to make the most of even her own strong points. More than once she comes near a very strong argument, and then drops it, or treats it inefficiently, because she is not aware of its strength. For example, she says, p. 221, "It is not necessary to suppose great horror and indignation on the part of Lady Byron"—namely, at the crime of incest. "She may have regarded her sister as the victim of a most singularly powerful tempter." This is true, but we are disposed to say something more. Lady Byron's queer, half-fanatical, half-sceptical views about religion produced in her mind a tendency to minimize all sin. Believing that in the worst of criminals there was as much angel as devil, and that the angel would have the best of it at last, and that it would all come all right, and that her husband, and therefore his sister, were sure of escaping in the end, she may have had no great horror, and perhaps from her constitution no great indignation, at the crime itself. Her religious views, which we quite agree with the *Quarterly Review* in revolting from, obscured in her mind the clear vision of the exceeding sinfulness of sin. From exactly the opposite quarter Lady Byron came to something of the same conclusion as to the guilt of sin as Lord Byron did. It matters little, to use technical language, whether we arrive at practical antinomianism, travelling as the husband did on the road of extreme Calvinism and fatalism, or as the wife did from the starting-point of universalism. Lord Byron committed sin because he persuaded himself that he could not help it, and because there was no such thing as sin; Lady Byron condoned and extenuated sin because from her coldness, her philosophy, and her all-right-at-last speculations she had no special indignation at sin as sin.

There is another branch of the subject in which Mrs. Stowe does not seem to be aware of the strength of her case. She has a chapter, and an interesting one, as far as it goes, on "the physiological argument." But the argument might have been expanded. Lord Byron was in this sense diseased in mind, that he systematically and habitually set at nought all moral principles; and the evidence of the incest showed, in entire harmony with this character that, as the *Spectator* in September well expressed it, he also "violated the deepest natural instincts of human nature; in other words, that there was natural disease in his instincts, as well as moral disease in his will." Mrs. Stowe shows well enough how, by violating all physiological laws, and by mental, moral, and physical excesses acting upon a naturally morbid and nervous temperament, Lord Byron brought himself into an abnormal state; but she does not show how bad his moral nature was, and how far he was responsible for these diseased moral instincts. Byron was, as Jeffrey observed, in the constant habit of mocking and scoffing at all virtue and excellence, human and divine, because it was virtuous and excellent. He quarrelled with and insulted truth and honour because it was truth and honour. Every hero of his poems, from *Childe Harold* down to *Don Juan*, was recommended for his natural vices rather than for his accidental virtues. Byron's mean, cowardly attacks on his wife, and then his atrocious denial that he had ever drawn her picture or libelled her in his poems, his repeated adulteries, his satyr-like life in Venice, his actual works—*The Corsair*, *Parisina*, *Manfred*, and *Cain*—all tales of illicit love, and two of them of incest, his original draught of the *Bride of Abydos*, on the same subject of incest, his projected tragedies on Francesca, also incestuous, and on Tiberius at Caprea, his journal and letters overflowing with jests

on his own and everybody else's sins, his avowal, lately produced, of his confidences to Mrs. Leigh on his *liaison* with Allegra's mother, and on his Venetian abominations—all these things taken together show that his actual life illustrated his principles, that his life was his principles in action, and that this life was a systematic and intentional one having a certain definite and realized purpose. That is why we have all along felt that the argument deduced from his works is so strong. Mrs. Stowe does not put these things together; and from all that she states we might be led to the conclusion that Byron was discharged from moral responsibility because undoubtedly both his moral nature and his physical instincts were diseased. But what Mrs. Stowe ought to have added is that for all this the man was responsible. Byron's insanity, such as it was, was of his own making. He forced and encouraged himself into mental and moral disease. There is no greater truth than that mental and moral disease is too often of our own creating, and that we can control our insane tendencies just as we can control our appetites. A man is as responsible for bringing himself into that state in which Byron's life was spent as he is for indulging in excesses which bring on *delirium tremens*.

Nor does Mrs. Stowe quite grasp the significance of one of these details of Byron's especial wickedness. Undoubtedly his conduct during his married life was such as to raise, as it did raise in his wife's mind, the presumption that he was insane. But there is clear evidence that this insanity was simulated, that he was mad with a method and for a purpose, and this purpose was to get rid of his wife. It is admitted that Byron's nearest relations, and Mrs. Leigh was his nearest, had strongly impressed his madness on Lady Byron. The inference is plain, though it seems to have escaped Mrs. Stowe, that if so, and if the madness was only simulated, Mrs. Leigh was obviously acting under Byron's guidance, and collusively with him.

And this observation leads us to say something, and we say it unwillingly, about Mrs. Leigh. We have carefully avoided saying more than was absolutely necessary about this lady; the crime charged against Lord Byron unhappily involves two persons. We would willingly say nothing about the weaker vessel. It may be that she was, if guilty, under the influence of a more imperious nature than her own; we gladly believe, as Lady Byron asserts, that she repented. But it is argued by the *Times* that "Mrs. Leigh's whole life is incompatible with such guilt." Is it so? What are the facts? As early as the separation the charge of incest was notorious, and had got into general circulation; it had reached Mrs. Villiers in February 1816, had been brought before Mr. Wilmot Horton by Mr. Hobhouse in March, was well known to Shelley while residing at Bath, who had only just reached England, and was not moving in the charmed or scandalous circles of London life, in September of the same year; are we to be told that this calumny, so rife, never reached Mrs. Leigh's ears? Further than this, it is admitted that in 1840 Lady Byron did "tell Medora Leigh the revolting story of her alleged paternity." Is it denied that at least in 1843 the charge was at any rate made known to the whole set of Medora Leigh's friends, was made known to (whether believed or not by) the Duke of Leeds and the Osborne family, to Lady Byron's family, to the Lovelaces, to Sir George Stephen, to Dr. Lushington? Has our inference that this wretched Medora Leigh taxed her mother with the sin been disputed or denied? If all this be so, will it be said that Mrs. Leigh's conduct towards the calumny and towards Lady Byron, who was well known and accredited with having specified it at least in 1840, was such as we should have a right to expect? Lady Byron is charged with at least duplicity, because if she believed in the charge she could not have been on the terms which she was with Mrs. Leigh. We retort this argument. Supposing Mrs. Leigh to have been acquainted with the charge, would she, or would any injured and innocent sister, wife, and mother, have treated such a frightful accusation with silent contempt? And that she must have been acquainted with it common sense forbids us to doubt. If Mrs. Villiers heard of it, and if Byron's friend and representative Mr. Hobhouse heard of it, and if Shelley heard of it, all in 1816, can we for a moment believe that Mrs. Leigh had not heard of it? If so, why did she not sift it and face it and indignantly contradict it? If it horrified Mrs. Villiers, and compelled her to write to Lady Byron about it, why did not Mrs. Leigh do the same and in much stronger language? Perhaps she did. We do not know what is forthcoming from the reserved fund of the Leigh letters, but if any such indignant appeal and complaint of Mrs. Leigh is in secret existence it might have been produced with great effect in the recent discussion. It may be said that it was to Mrs. Leigh's interest to suppress the calumny in 1816, because she was then on good terms with Lady Byron. But in 1830 Mrs. Leigh and Lady Byron quarrelled; and in 1840 Lady Byron at any rate specified the charge, and Mrs. Leigh must have known, at least in 1843, if not long before and from the very first, that the charge was avowed and adopted by Lady Byron. Did she then disavow or disclaim it, or did she then openly charge Lady Byron as a vile calumniator? That she had then quarrelled with Lady Byron was rather a reason that she should now at any rate speak out. Did she do so? No such thing; it is not even pretended that Mrs. Leigh ever openly protested against it. And yet she could speak and protest and disavow shameful accusations against herself when she pleased. Lady Byron—the *Quarterly Review* admits—"not only told this unhappy girl [Medora Leigh]—whose sense of right and wrong seems utterly lost and confused on all subjects—that she

was the child of incest, but repeated, as coming from her, the most monstrous and improbable calumnies against her mother, as having co-operated with her sister [Mrs. Trevanion] for her (Medora's) ruin by her brother-in-law. Did Lady Byron believe such stuff? . . . Should she openly have adopted and patronised the girl in a manner to become responsible for her unnatural inventions, which were evidently accumulated as they were found to be acceptable? They"—what? the unnatural inventions and monstrous calumnies that the mother was a party to her daughter's ruin—"reached the Leigh family, and there is extant a letter from Mrs. Leigh to a distinguished relative, repelling with the deepest scorn and indignation 'this atrocious charge.'" This atrocious charge, that is the charge of complicity with the Trevanions, not that atrocious charge that she was the child of incest. At least this is how we read the *Quarterly Review*, and our readers can judge whether we read the *Quarterly Review* aright, because in one quarter, the *Standard*, this passage has been cast in the teeth of the *Saturday Review*, as stating that Mrs. Leigh's letter to a distinguished relative repelled the charge of incest. We repeat, therefore, unless we are contradicted on our reading of the *Quarterly*, and until some more letters are forthcoming, that Mrs. Leigh persistently remained silent throughout when she must have known that she was charged with the crime, and when she must have known who advanced the charge. And we add that, if it is a difficulty, as it is, that Lady Byron maintained friendly and sisterly relations with Mrs. Leigh, though satisfied of the existence of her crime, it is quite as great or a greater difficulty that Mrs. Leigh never complained, as far as we know, of the charge, or denounced her who avowed it.

One word as to the critical method—we mean the logical instrument—which has been employed by the advocates of Lord Byron in this dispute. That method, if we may so dignify it, is the very bathos of criticism. It consists in this:—First, to frame a theory—in this case the impossibility of the truth of the charge alleged—and then, as regards the evidence, simply to set aside whatever conflicts with that theory. This method has been used, and its value has been gauged, as regards higher subjects. To illustrate what we mean. Lady Byron states distinctly and explicitly certain things. She deposes to certain facts. She pledges herself to the fact, for example, that, on a certain occasion, the scene between Byron and his sister, in the course of which Lady Byron was ordered out of the room, did take place. Well; this is evidence, distinct evidence. With something less than questionable propriety the *Quarterly Review* speaks of the loathsome details of this horrid scene, with which we shall not offend our readers, as a "luscious tit-bit—the trail of the woodcock;" and then peremptorily asserts that it cannot be true, chiefly because it was only told to Mrs. Stowe, and presumably to Mrs. Jameson, and not told to any woman of rank. In other words, Lady Byron is charged with a wicked lie, because the *Quarterly Review* declines to believe what Lady Byron, a truthful woman, solemnly asserts. So as regards another detail. Lady Byron positively and definitely declares to Mrs. Stowe that on a certain occasion Lord Byron said, "The world will believe me, and it will not believe you. The world has made up its mind that 'By' is a glorious boy; and the world will go for 'By,' right or wrong. Besides, I shall make it my life's object to discredit you: I shall use all my powers. Read *Caleb Williams*, and you will see that I shall do by you just as Falkland did by Caleb." And then we are told that all this is neither probable nor credible; and it is insinuated that this incident is, if not a mere invention on Lady Byron's part, a translation into the American dialect of something said by Lady Byron. That is, that either Mrs. Stowe or Lady Byron, or perhaps both, are deliberate liars.

And this is the conclusion of the whole matter. The issue is the simplest; the choice must be taken for once and for all, and on the plainest alternative. Either the accusation of incest is true, or Mrs. Stowe and Lady Byron, either or both, are guilty of inventing a direct and planned and wilful lie. Because we believe that the hypothesis of either Mrs. Stowe's falsehood or Lady Byron's falsehood is utterly untenable and inadmissible, and because we are assured that neither of these ladies is or ever was insane, we are forced to pronounce against Lord Byron on the main charge. Those who acquit him must, whether they will avow it or not, believe that the witnesses are perjured. Further than this the case cannot be carried. The hallucination theory—the mystification theory—neither of them will stand the test of searching argument. As we commenced the investigation so we conclude it, and we repeat, only weighted with our present argument and fortified by all the facts which have come out since we first wrote, our language of last autumn:—

Is it probable, or even possible, that Mrs. Stowe invented this history? Most improbable—all but impossible. Is it probable, or even possible, that Lady Byron invented this history? Most improbable—all but impossible. Is it probable, or even possible, that Lady Byron, without intending to misstate or misunderstand, did take *au sérieux* some foolish and culpable affectation of vice, some swagger and boast on her husband's part of some great and secret crime, which only existed in his own morbid imagination, and was only uttered for the sake of annoying his wife, and in his ordinary or extraordinary evil temper? Just possible—but very improbable. Is the story an hallucination on Lady Byron's part? Not at all likely—but of course possible. If therefore there is nothing absolutely to discredit Mrs. Stowe's truthfulness or Lady Byron's truthfulness, and if the probabilities against illusion or misunderstanding are so great, we are driven to the conclusion that, on the whole, the history in its essence—that is, as a charge of incest—is more likely on all accounts to be true than not.

* See *Saturday Review*, September 4, 1869.

We must add a single reflection, and it is one which embodies a moral judgment on the whole controversy, and we follow some admirable remarks of the *Spectator*, September 11, on "the Public Prepossession for Byron." It is a sad evidence of moral decadence in high literary as well as in popular quarters, that so wild and irrational a scream has been raised against the evidence produced in the case. The old and manly protests against the immorality and turpitude of Byron's life and works are now silenced. The traditional representatives of that part of the press which used to arrogate to itself special claims to be the guardian of religion and morality have gone over to the other side. The Tory *Quarterly* and *Blackwood* and *Standard* uphold the Satanic School and its Coryphæus. It is announced to be a kind and good deed to introduce *Don Juan* to family reading; and an epigrammatist congratulates the world and himself that at last the sinner—and such a sinner as Byron, a deliberate and inveterate offender against everything that has been held to be true and pure and good—has been canonised. And we are simply scorned and sneered at because we think that it is a duty to confront an author, who is always a teacher, with his life, and we are told that it is simply "ludicrous to test genius by morality," and we are forbidden to object to the authority of Sterne or Rousseau, on the plain and homely ground that their lives were foul and licentious. This is the present aspect of the popular mind towards Byron, and it is of evil omen. Whether Mrs. Stowe repeats accurately Byron's words or not, it is an undeniable, but also a melancholy, fact, that he knew, and knew too well, the popular mind when he said, "The world has made up its mind that 'By' is a glorious boy; and the world will go for 'By,' right or wrong." Yes; right or wrong, "the noble poet" can do no wrong. Not only must we not utter word or protest against the shameless immorality of "the noble poet," but we must accept the man Byron as more sinned against than sinning. His wife is a moral Clytemnestra, a moral Brinvilliers, but the man who could and did violate every sanctity of life, every truth, and every honour, the spoiled child of England and our national darling and idol. This, we again assert, is of no good omen. We must, with all sorrow and indignation, confess that the popular verdict is with Byron. But what then? "A wonderful and horrible thing is committed in the land; the prophets [and of old prophet and poet were synonyms], the prophets prophesy falsely, and my people love to have it so; and what will ye do in the end thereof?"

JOURNALISM MILITANT.

THE enjoyment of its novel privileges is developing a characteristic trait of French journalism into an absolute mania, and if their skill were only equal to their spirit, the Government might safely leave the chastisement of its virulent assailants in the press to their own order. Decimation in the immediate future, and the fate of the Kilkenny cats in a more remote one, might be confidently counted on. The fact is, the Parisian press promises, in these dull days, to be the most captivating opening for a young man of muscle and spirit. A stirring life is hard to come by in these piping times of peace, when legitimate war, relegated to the poisonous swamps of Paraguay, has to be waged on quarter rations and rat flesh; when buccaneering is gone out of date, and piracy is confined pretty much to Malay proas in the creeks of the China seas. Next to a Nevada hell, or a bar-room in Colorado, a Parisian editor's sanctum might offer, of all places in the world, the most frequent chances of abruptly leaving it yourself or brusquely dismissing some one else. The world must revolve upon its axis while moving onward through space in its inevitable orbit, and history repeats itself while civilization advances. In France they are back again at the days of the *Coup de Jarnac*, and the last of the Valois. But the progress of three centuries has brought the men of mind to the front; and now it is the profound thinkers of the age, the political critics, the social reformers, who claim the monopoly of the *duello*. The bold and original minds of a France in process of regeneration condemn the narrow moral prejudices that are taking root elsewhere, and, profoundly conscious of the fact that life is nothing without honour, they accept the institution of ordeal by battle, and seek to elevate and purify it by appropriating it to themselves. It is no longer a question of fighting on such frivolous trifles as a lady's smile, the colour of a ribbon, or an order of precedence. In 1870 the field of political discussion embraces the Bois de Boulogne, and a passage of arms is the continuation and logical sequence of a passage of argument. The practice, if we look at it aright, has unquestionable advantages. In the first place it gives a pledge of earnestness and principle, and earnestness and principle are the soul and spirit of the highest order of journalism. Then it casts around the otherwise somewhat commonplace forehead of the scribe the halo of glory of the martyr, for the will must be taken for the deed, and he professes himself prepared if needful to seal his faith with his blood. Moreover, if the combat means anything at all, it is an appeal to God and reason to defend the right; consequently a veteran journalist—were such a being conceivable—the hero of a hundred successful fights, would have established a valid claim to infallibility, might appeal to his subscribers with something of the power of divinity, and, multiplying his *abonnements* by myriads, make his inspired columns invaluable as an advertising medium.

It is clear, however, that if the new system develops itself as it promises to do it must work an utter revolution in journal-

ism; and what we fear is that its well-meaning apostles, while struggling forward into the light, may land themselves in outer darkness. They place themselves in this dilemma, that they can only vindicate thought and opinion by glorifying brute force and courage; and neo-journalism will ultimately have to recruit its ranks from the classes who have hitherto turned their hopes towards the Zouaves or the Chasseurs d'Afrique. That a man has an easy style is all very well; that he has precision of thought, play of fancy, and lucidity of expression is still better; but, after all, these qualities are not the essential ones. And did he take to the pen solely on the strength of gifts like these, the more shining his light the earlier would it be eclipsed. What the chief of a paper must look to in his band is the chest and the sinew, the eye, the wrist, the calf, and, above all, the nerves. As in our recruiting depôts, a surgeon is kept on the strength of the establishment to inspect the candidates, a *maître d'armes* would be in attendance to put them through a preliminary examination with the foils, while the aspirant would then be conducted to test his skill on the images in the shooting-gallery kept for the accommodation and exercise of the editorial staff. All this would of course demand special and severe training on the part of those who dream of following the perilous but honourable trade of the literary gladiator. An ample course of fencing-rooms and pistol-galleries would be a matter of simple prudence to the man who hopes for a tolerably long career, carrying at the same time his life in his hand. The acquaintance one makes in those places are scarcely likely, according to our foreign notions, to be the most profitable ones for an embryo instructor of the people. Nor is the frequenting them calculated to foster those habits of reflection and that repose of mind which have their value in a literary career. Then, as we all know, a wise man's education does not end when he leaves school, and the more industrious a journalist, the greater his name, the more necessary would it be for him to keep his hand in practice and his nerves in order. To be sure he would be likely to have practice enough in the way of serious business. Every ambitious young aspirant whose politics differed from his by a shade would be eager to fix a quarrel on him, for the most rising men would be those who, like the Irish judge, shot their way upwards to fame. Struggling writers would insist on appropriating the general denunciations of more distinguished men as directed at passages in their own obscure lucubrations, and would demand satisfaction in terms that would put explanation out of the question. Moreover, devotion to the cause of the people consecrates every weapon, and earnest "Reds" would be apt to cultivate political assassination as a sheer matter of conscience. A Minister or a possible Minister, in one of the dynastic or Ministerial prints, injures the nice sense of honour of the extreme Left, and next morning finds his anteroom crowded with a series of deputations from the *Rappels, Réveils, Marseillaises* of the day—gentlemen who claim their privilege, and will take no denial. If members of the Government recognise a system where privilege of the press means repression of opinion under pain of death, they can hardly with any grace refuse to be bound by it. It is easy to forecast the influence which the new state of things will exert on the future of a country where journalism has always been the stepping-stone to power. The old complaints of government by an oligarchy and of the want of new blood will become traditions of the past, and it is only to be hoped the supply of statesmen may prove equal to the excessive demand. Men will pass steadily upwards through place and power, only to be thrown aside once for all like the straw from a steam threshing-machine.

It may be said that our fancy outstrips our facts, and that all the challenges bandied about among the heroes of the pen have not as yet materially swelled the bills of mortality of Paris; that the butcher's bill at Bonn or Jena for a year would be as scarcely less deadly and incomparably more bloody than that of Paris. That is true, but we must remember that Rome was not built in a day; the revolution has just received its impulse, and things are as yet in a transition state. There are skilful blades like M. de Cassagnac to whom a meeting is a pastime and a visit to the Bois a picnic, but many of the rank and file have not taken their bachelor degrees in the profession of which he is passed master. We should think many of them must go to the field profoundly impressed with the philosophy of Falstaff; they are persuaded that honour has slight skill in surgery, and cross their blades in the spirit of Sir Andrew Aguecheek. They have doubtless a chivalrous respect for their adversary's weakness. Giving them the fullest credit for spirit, courage, and ferocity, we ought to be patient, make allowances, and wait. Many of them are by previous training and habit as little fitted as may be for the *métier* they have embraced. A man like the unlucky Noir lays down the yard measure for the pen, and steps from behind the counter to carry a cartel. One can only learn by experience, and for his first few affairs such a novice must inevitably be in a false position. He may have the courage of a lion, and a natural instinct of tact, but he cannot be expected to figure to advantage either as principal or second. He knows as little of the mysteries of carte and tierce as of the niceties of the code of honour. It is the penalty of a revolution like this that, before arriving at the sublime, its moving spirits have to pass through the stage of the ridiculous. Had not accident ended it prematurely with a tragedy, could anything have been more unmitigatedly comic than the scene in the apartments of the *Marseillaise* that preluded the crime of Auteuil? Nine contributors to a fifth-rate journal, all of them men of peace by profession, and probably by antecedents, most of them drawn from

the lower *bourgeoisie*, meeting gravely to arrange a trio of challenges! Of the two selected to carry the message that ended so fatally, one, as we said, had been educated to the yard measure instead of the sword, while the other man of war had to have recourse to a passing postman to uncock the pistol he carried. M. Paschal Grousset is a Corsican, and no one surely but a Corsican blinded by the spirit of the vendetta, rushing like a bull upon his fate, could have been mad enough to place his life in hands like these. As for his honour, perhaps they might be safely enough trusted to take care of that. Else the only rational explanation is, that the challenge was a bravado expected to lead to nothing. The whole affair from first to last reminds one of a set of shop-boys from the Rue St. Denis swaggering about a masked ball in the Rue Cadet in the uniforms of D'Artagnan and his musketeers. As a rule, and except in very extreme cases, it is found that a drop of blood from a scratch in the arm is as sovereign a styptic for wounded honour as the life-stream from the adversary's heart. For that reason, probably, in by far the greater number of affairs swords are the weapons pitched on. If your opponent, as is most likely, tries to do as he would be done by, or if you are a tolerable fencer yourself, there are long odds against first blood being drawn from a vital part. What strikes one in these press combats is that so many of them are referred to the more grave arbitrament of the pistol. At first sight this would look like business, for ordinary pistol-shots must hit where they best may, and the ball is as likely to lodge itself in the brain or heart as in the wrist or ankle. But, on the other hand, a man who has rarely handled a pistol before, in the flurry of an unaccustomed meeting, is extremely unlikely to be able to carry into effect the best and most deadly intentions. The real danger would be to the witnesses who are looking on, and if they are ready to expose themselves to it in the cause of friendship, surely the principal may be willing on selfish grounds to flatter his vanity, and court cheap popularity at so very moderate a risk. We would not be so uncharitable as to go further and suggest an honourable understanding as to the inviolability of an opponent's person, although in the absence of some such explanation we are driven to the conclusion that the gentlemen of the French press must be execrably bad shots. Fancy indeed poor M. de Fonville condemned to figure seriously in the part of first gentleman on the field of honour before he had got over the preliminary difficulty of learning to cock his weapon. That, to be sure, might fall within the province of his second, but we should think any Accidental Death Insurance Company would be content to guarantee his antagonist at a very moderate rate. Our French friends know their own affairs best, but it seems to be giving an extreme latitude of interpretation to their official duties to require them to provide sensational episodes for their readers as well as to chronicle them. We can understand that it gives a zest to your morning paper if you can persuade yourself that each article may be a death-warrant, and the preface to some blood-stained column to be gloated over a few days later. But as things are now, you would have to make-believe very much indeed to procure yourself the necessary excitement in advance, and, as things might be in the future, the stimulant could hardly be kept up. The raw material, with the needful amalgam of evil heart and heated brain, would be too quickly used up, for the purveyors are denied access to the inmates of Mazas and Charenton.

MR. HUXLEY ON BRITISH ETHNOLOGY

RATHER too much has been made of the lecture given by Mr. Huxley before the National Sunday League, and of the controversy which has followed on it in the *Pall Mall Gazette*. Mr. Huxley has been quoted as proving things which he has certainly not proved, and which he can hardly be said to have asserted, and meanwhile the one really remarkable statement in his lecture seems to have drawn to itself no attention whatever. People are beginning to quote Mr. Huxley as a witness on behalf of Mr. Pike and his brethren, which he certainly is not; but they do not seem to be staggered at his assertion that there is a large Iberian—that is, non-Aryan—element in the population of Britain. Before such an astounding position as this, all questions about Welsh and English, about Celts and Teutons, fade into insignificance. But this is just the part of Mr. Huxley's lecture which people seem not to have noticed. The reason is plain. "Celt" and "Saxon" and "Anglo-Saxon," and such like, are words which have found their way into the babble of party politics. Every chatterer uses them, and perhaps fancies that he understands them. But Iberian and Basque and Euskaldune are words which to declaimers about Celts and Saxons convey no meaning whatever. Thus the really serious part of Mr. Huxley's theory is likely to be thrust out of sight, while sayings of his which are little more than mere *obiter dicta* are clothed with an importance which does not really belong to them.

The practical object of Mr. Huxley's lecture is one to which no exception can be taken. If we rightly understand it, it is to show that distinctions of race have less to do with the present and past state of things in Ireland than people generally fancy. Ireland presents certain phenomena which differ from those of England, not so much because of any differences in blood and speech, as because of the widely different circumstances in the history of the two countries. Ireland is discontented and disloyal, not because it is Celtic, but because it has been conquered, oppressed, and mis-

governed. England is contented and loyal, not because it is Teutonic, but because the facts of its history are quite of another kind. Against this argument we have not a word to say. It is in truth exactly the same argument which we have ourselves of late been urging in more than one article. And not only is Mr. Huxley's political argument thoroughly sound, he shows a thorough grasp of one great fact of early English history which it is hard to make people in general understand. He fully takes in the distinction between certain western shires of England which are simply Teutonized and the mass of the country, which is strictly Teutonic. He understands, whether he rightly applies or not, the great fact of the existence of the West-Saxon *Wealtheow*. But he mixes all this up with a good many fallacies and a good many exaggerations. Used to look at his own immediate subjects from a certain point of view, he applies the same point of view to other subjects with regard to which it is less in place. And, strange to say, he uses a confused and worn-out nomenclature, which we are surprised to find used by one who has evidently read and thought about the matter, and whom we should have expected to have learned the use of scientific precision in his other branches of study.

Mr. Huxley, having got thus far, came in for the greatest advantage for which any controversialist can wish—an opponent who at his first appearance certainly seemed both feeble and impertinent. A "Devonshire Man" seized on a single exaggerated expression of Mr. Huxley's, and took the opportunity to display his own philological ignorance. Mr. Huxley took and shook him with the greatest ease, though, after all, he missed the point on which the "Devonshire Man" was most delightfully ludicrous. The odd thing was the way in which both disputants seemed to improve by the controversy. Mr. Huxley's answer to the "Devonshire Man" was, as far as our subject is concerned, much more to the purpose than his original lecture, and the rejoinder of the "Devonshire Man" to Mr. Huxley was a still greater improvement in style, temper, and matter, on his first letter. Altogether it is a charming little battle to look at, but it proves very little. Mr. Huxley's original lecture is the real matter of controversy; the rest is mere episode.

It is certainly surprising at this time of day to find a man like Mr. Huxley, who can speak with authority on many subjects, and who has clearly no mean knowledge even of this subject, falling into that confused talk about "Saxons" and "Anglo-Saxons" which it is just now the chief aim of accurate writers to get rid of from our early history. By "Anglo-Saxon" Mr. Huxley of course simply means "English"; so far as the word "Anglo-Saxon" has any meaning at all, it is simply synonymous with "English"; but we doubt whether Mr. Huxley's lecture could stand the crucial test of substituting either word for the other throughout. When he says, in the passage which called forth the "Devonshire Man's" wrath, "A native of Tipperary is just as much or as little an Anglo-Saxon as a native of Devonshire," he is saying what is absolutely without meaning. To talk of a "King of the Anglo-Saxons," i.e. "King of the Angles and Saxons," is sense; but to call this or that man, whether in Tipperary, Devonshire, or anywhere else, "an Anglo-Saxon" is nonsense, unless what is meant is that one of his parents was Anglian and the other Saxon. Mr. Huxley uses other expressions which are still more amazingly loose and inaccurate, and which we certainly should not have looked for in a scientific man of any class. Fancy a picture of "the Saxon when, England fairly won, he sank into the slothful enjoyment of his possessions." Or, in a still more wonderful passage:—"A large part of Ireland has been as completely Teutonized by the Lowland Scotch and the Eastern English as these people were themselves Teutonized by the Saxon and Norse invasions." "These people" must mean "the Lowland Scotch and Eastern English." The Lowland Scotch and Eastern English were therefore Teutonized by the "Saxon" and "Norse" invasions. But the Lowland Scotch and Eastern English were the very people whom "the Saxon and Norse invasions" planted in hitherto Celtic Britain. That is, they were "Teutonized" by their invasion of a Celtic country—a most strange and unexpected result.

We can guess the kind of mincemeat which Mr. Huxley would make of any one who talked of his special subjects in this confused and contradictory way. The truth is that people have learned that in matters of physical science it does not do to talk at random, while in matters of history and philology it is still held that all men may babble as they please without let and hindrance. To be accurate in dealing with the one class of subjects is scientific; to be accurate in dealing with the other class is pedantic. But, besides this, a general error underlies all Mr. Huxley's speculations. He says amusingly enough, "I deny that there is any sufficient proof of the existence of any difference whatever, except that of language, between Celt and Teuton." And before that he says, "Physical, mental, and moral peculiarities go with blood and not with language." Mr. Huxley forgets that difference of language is in itself a most important mental, moral, and even physical difference. He forgets that, though certain other differences undoubtedly go with blood and not with language, yet likeness or unlikeness of language is the primary test of difference of blood. It is of course not an infallible test. It is presumption, not proof. As Mr. Huxley says, many people, negroes included, speak English who are not of English blood. But if people speak English or any other language, the presumption is that they are of the blood which that language indicates, unless it can be shown that they

are not. We know why Gauls and Iberians, though not of Latin origin, came to speak Latin. We know why Cornishmen, though not of English origin, came to speak English. But those who want to have us believe that we are Welsh have never yet been able to explain why we do not speak Welsh. The fact is that Mr. Huxley sees through the nonsense of much of the so-called physical science about hair, eyes, and skulls; he sees through much of the so-called political science about national character and the like; but, not being a philologist, he is disposed to underestimate the importance of the phenomena of language. "In everything which constitutes a race, these Aryan or Celtic and Teutonic nations are of one race. In every particular by which races of mankind differ, the Iberians and the Aryans are of different races." Now this is true or it is not true, according to the meaning that may be put on the ambiguous word "race." We cannot feel certain what Mr. Huxley means till we know whether to the words "Celtic and Teutonic nations" he would be willing to add Greeks, Lithuanians, Slaves, Persians, and Hindoos. But, as some Aryans are white and others are black, we presume that he would not. Does he then mean that Celts and Teutons make up a race distinct from other Aryans? What would he do with Slaves and Lithuanians? Till we know Mr. Huxley's answers to these questions, we do not know what he means by Celts and Teutons being of one stock, words which are perfectly true in one sense and utterly false in another.

After this it is not wonderful that Mr. Huxley's grouping of "languages" should be very loose and unsentient. "There is," he tells us, "on the one hand, the English group represented by a great variety of dialects, the Lowland Scotch, the Suffolk and the Dorset dialects, for example, being so different that the speakers of each might have a good deal of difficulty in understanding one another. On the other hand, there is the Celtic group, comprising the Cymric spoken in Wales, and formerly in Cornwall, and the Gaelic spoken in the highlands of Scotland, the Isle of Man, and Ireland. The speakers of Cymric and Gaelic are not intelligible to one another. They are like French and Italian, totally distinct, though allied, languages." This extract shows that Mr. Huxley has not mastered the first rudiments of the relations of languages to one another. His loose way of using the word Cymric was one of the things which Lord Strangford used constantly to warn his friends against. It puts out of sight the very considerable difference between Cymric, the language of modern Wales, and that Breton tongue with which Cornish is much more closely connected than it is with Cymric. And it is wonderful to see Mr. Huxley adopting the belief that the Picts were Teutonic, especially as he says that in Cæsar's time "there is no evidence that any Teutonic dialect was spoken within our coasts." But these are comparatively small points. The really amazing thing is that Mr. Huxley seems to think that the different local dialects of English are "languages" differing from one another as Welsh differs from Irish. Now it is certain that a Yorkshire peasant and a Somersetshire peasant would have at first some difficulty in understanding one another. Each would have words and phrases and modes of pronunciation which would be stumbling-blocks in the way of the other. But each becomes intelligible to the other by mere use, and each understands the man who speaks cultivated English, the κοινὴ διάλεκτος of Teutonic Britain. But an Irishman and a Welshman can never come to understand one another by any process of mere fiction, and there is no Celtic κοινὴ διάλεκτος which both of them understand. Again we ask, what would Mr. Huxley say to any one who spoke in so careless a way upon any point of physical science?

But after all Mr. Huxley is not to be set down as an advocate of the theory for which Mr. Pike and Mr. Nicholas have been fighting. He was as explicit as we could wish when he said, "Upon the eastern and south-eastern coast of Britain, which was most exposed to the invaders, the Celts seem to have been absolutely exterminated over vast districts, a Celtic name of a river or a hill being all that is left to show that they once existed." He then went on very properly to distinguish these wars of extermination from the political conquest of the *Wealtheow*, but of course it was mere exaggeration when he said that "Devonshire men are as little Anglo-Saxon"—whatever that may be—"as Northumbrians are Welsh." Mr. Huxley here laid himself open to the answer of the "Devonshire Man" who, when he wrote his first letter, clearly knew nothing about the *Wealtheow*, but who was able easily to show that the Teutonic element in Devonshire was very large, by this time probably much larger than the Celtic. Here Mr. Huxley had distinctly to draw in his horns, and the "Devonshire Man" might crow over him not unfairly. Still he is not a very formidable adversary. His notions about the ideal, "pure," or "primitive," Frenchman, even in his second letter, are amusingly confused, and the statements in his first letter were more amazing still. In what edition of Lappenberg, German or English, can he have found the astounding statement that it is "probable that there were some Saxon inhabitants in Exeter in the time of the Romans, and possibly even before"? Then it is plain that his only idea of Teutonic is High-Dutch. He talks of "the Teutonic character as seen in the Germans," a point on which Mr. Huxley soon disposes of him. Then he tells us that the Devonshire dialect "is peculiarly, I may say wonderfully, Saxon," as if either the West-Saxon settlers, or the Celts whom they Teutonized, were likely to have adopted an Anglian or Danish speech. But his way of proving it to be thus "wonderfully Saxon" is to bring words and usages which he fancies are like High-Dutch. The "Devonshire Man" is clearly one of a not very small class who

seem seriously to believe that High-Dutch was once spoken in England.

If Mr. Huxley had been a philologist, here is the point on which he would at once have pounced. Still, even without this, he has not much difficulty in making an end of his adversary. But he would himself do well to remember that, however eminent a man may be in one branch of knowledge, he cannot become a master of another branch without going through the same course of study as other people, and to remember also that accuracy and precision are just as needful in other branches of study as they are in his own.

INFALLIBLE MORALITY.

THERE are many subjects of high interest, both theoretical and practical, to others than the assembled Fathers, among the agenda of the Council now sitting at Rome. But there is certainly none to compare, either for abstract importance or from the wide range of its direct and indirect consequences, with the great dogma—which, if true at all, is necessarily the measure and standard of all truth—that a powerful and unscrupulous party is straining every nerve to force on the conscience of Catholic Christendom. We make no apology therefore for returning, not so much to the infallibilist petition noticed in our columns last week as to the doctrine itself which the petitioners appeal to the Council to fabricate into an article of faith. Of the petition itself indeed it is a small thing to say that, with its odious insinuations and affectation of babyish ignorance, it is a malicious and wilful libel on a large section of the Catholic clergy and episcopate and an overwhelming majority of educated Catholic laymen. The counter-petition drawn up by Cardinal Rauscher, of which the text is now before us, does not of course say this, though it not obscurely implies as much. The memorialists begin by observing on the strangeness of asking “the judges of faith” to subscribe a declaration of opinion on a matter to be brought forward, before its discussion. They proceed to urge, in terms studiously respectful, that as the legitimate rights of the Holy See are nowhere called in question in the Church, there can be no necessity for adding any further definitions to what has been already sufficiently settled by the decrees of Florence and Trent, while, on the other hand, it would be very unwise to throw fresh impediments in the way of the union of the Latin and Greek Churches, “if the Lord should look mercifully on the afflicted East,” and not less so to impose fresh burdens on Catholic believers in an age so full of trials to their faith. But the sting of the memorial is in the tail. Grave and dignified as the tone is throughout, the infallibilists will scarcely be able to ignore the quiet sarcasm of the warning against the unwisdom of stirring a question so pregnant, not only with theological but with grave historical difficulties, if “the genuine documents of history” are consulted. The significance of this caution will become more apparent in the light of the paper “by an English Catholic,” to which we shall directly have occasion to advert. Finally the bishops point to their own daily experience in their dioceses, in evidence of the peril to the faith of even the most loyal Catholics (*melioris notæ viros*) that would be created by the proposed new dogma, and the antagonism between the Church and the civil Governments of Europe which would be its inevitable result. They therefore pray that no such dogma may be proposed to the Council.

The main interest of the various fresh circumstances reported during the last few days centres in their bearing on this point. First we have the Pope's own declaration, addressed in a public audience to some fifteen hundred listeners, that “certain questions” which some Catholics wished the Council to avoid could by no means be suffered to drop because the world might be unwilling to acquiesce in the right answer. Then there is Bishop Mermeillod's sermon, which must have startled some even of his infallibilist hearers by laying down *totidem verbis* the blasphemous doctrine that, as before in the Incarnation and the Eucharist, so now “God is again incarnated in the person of an old man at the Vatican,” which is sheer and simple Lamaism. Then we have Dr. Manning, with that nice appreciation of strict accuracy which is characteristic of him, assuring a congregation of a thousand people on Sunday week, on the word of one who was inside the Council and must know all about it, of the absolute unanimity prevailing among the assembled Fathers, and denouncing the whole press for asserting the contrary. On this it is enough to observe here that the Archbishop's statement is either true or false. Unless everything that has been reported about matters at Rome during the last month from the most trustworthy quarters is a tissue of pure fabrications—unless, for instance, the strenuous opposition to the infallibilist memorial and the very existence of the counter-memorial is a pure myth—his statement is not only untrue, but the categorical reverse of the truth. If, on the other hand, the statement is true, Dr. Manning has no one but himself and his party to thank for its being universally disbelieved. The one and only way to guard the public against spurious reports is to provide them with true ones. Let the sessions of the Council be open to the public, as were the debates at Trent, and let reporters be admitted, and all dispute about the facts of the case would be at an end. How far, however, the Court of Rome is from desiring, or being ready to tolerate, such publicity, may be gathered from the fact of a fresh Papal injunction to the bishops having been issued, commanding absolute secrecy under pain of mortal sin. The dexterous attempt to

turn the flank of the French episcopate by a private convention with the Emperor is another evident confession of weakness, though hardly likely, especially under the new political conditions of France, to answer any practical end. Meanwhile Father Gratry's masterly Letter to the (Ultramontane) Archbishop of Mechlin shows that the leading French theologians can be no less outspoken against the threatened stultification of their creed than their German brethren. Last, but not least, we have Dr. Dollinger's crushing exposure of the infallibilist petition, in the *Allgemeine Zeitung*, summarizing much of the argument of “Janus” and of the masterly pamphlet, *Considerations proposed to the Bishops of the Council*, noticed in our columns two months ago. We did not indeed feel any doubt about the correctness of our own comments on the petition last week in the judgment of all well-informed and candid readers. Still it is a satisfaction to find our criticism so signally borne out by the independent authority of one of the very first of living Catholic divines. After pointing out the radical change in the whole principle of faith involved in transferring the grounds of belief from the continuous testimony of the Church to the personal *ipse dixit* of every Pope, Dr. Dollinger calls attention to the curious complication of confining infallibility to Papal decisions addressed to the whole Church, when none such was issued for the first thirteen centuries, Boniface VIII.'s Bull *Unam Sanctam*—which his successor was compelled to explain away—being the earliest instance. Dr. Dollinger proceeds to exhibit in detail the glaring falsehood of the petitioners' statement that the decrees of Popes were always held to be “irreformable,” and to expose the gross forgery (for it comes simply to that) which we have so often pointed out ourselves, of garbling the Florentine Canon, as well as the absurdity, with history before us, of putting forward the Council of Florence as in any real sense oecumenical. Among those *qui blaterare non erubescunt*—to quote the memorial—that it was nothing of the sort, were nearly the whole contemporary episcopate out of Italy, and at the Council of Trent the Cardinal of Guise openly and without contradiction pronounced it no true Council at all. How indeed could it be when only some fifty Italian bishops could be scraped together, and a still smaller handful of harassed and terrified Greeks, disowned by all their brethren, who were literally half-coaxed and half-starved into a temporary and fictitious acquiescence, and even then in so guarded a form that no Ultramontane ever dares to quote the decree adopted without suppressing or mutilating its most important clause?

It is something of an anti-climax to turn from Dr. Dollinger to an anonymous correspondent of the *Weekly Register*, but, considering the usual state of the theological thermometer among that section of English Roman Catholics who are alone represented in the Catholic journals, a passing notice of a letter printed in one of them in its largest type, under the signature “S.T.P.,” and therefore, we presume, emanating from a doctor of divinity, may not be out of place. There is nothing new to those moderately well informed in what the writer says, but it is significant as coming from such a quarter. After a preliminary fling at “the *Tablet* infallibilists,” he observes that their cardinal dogma “is not *once* referred to in any of the catechisms used in England, Ireland, France, Belgium, Germany, Holland, or Portugal,” or in the authoritative Catechism of Trent from which they are all derived, or in the creed of Pius IV.; that it was ignored, or often denied, by the English Catholic controversialists of the sixteenth, seventeenth, and eighteenth centuries, and that the Catholics of England have again and again solemnly and publicly disclaimed the doctrine. They did so in a Declaration signed by 1,740 persons, including several peers and 241 priests, and in the oath taken by all Irish Catholics in the thirty-third year of George III., and subsequently approved as “a part of the Roman Catholic religion” by the Irish bishops assembled in Synod in 1810. One of the most famous Catholic works of controversy, republished again and again in nearly every European country, and solemnly approved by the Theological Faculty of the Sorbonne—Veron's *Rule of Faith*—roundly condemns “the new and unheard of dogma” that the Pope speaking *ex cathedra* can propound articles of faith, as not only false, but as exposing those who maintain it to “the deserved censures of the Church.”

Far more important, however, is the remarkable statement on “Papal Infallibility and Persecution” communicated by “an English Catholic” to the *Times* of Monday last. That also contains little that will be new to those familiar with the subject, or even to the many thousands in England, Germany, and France who have been perusing during the last few months the masterly work of “Janus.” But it summarizes with admirable brevity and precision the leading results of the dogma of Papal Infallibility on one point, and one only, of Christian morality. No doubt the theological and historical objections to the dogma are abundantly sufficient to condemn it to any candid mind. But a very small minority even of educated men have any appreciable acquaintance with theology or Church history. Broad questions of morality are level to the general comprehension, and are happily matters of pretty general agreement. And the dogma is not more false than it is immoral. It would be a most undeserved insult to our Catholic fellow-citizens—with the exception of the small and violent clique, clerical and lay, who find their oracles in Dr. Manning and the *Dublin Review*—to suppose that they would recoil with less sincere horror than their Protestant neighbours from the atrocious principles laid down and enforced with a horrible minuteness of inquisitorial detail in the extracts from various authoritative

pronouncements contained in the paper on Papal infallibility drawn up by one of themselves. Their difficulty will be, not in affixing to such principles their true character, but in believing, even with the evidence before their eyes, that these grave and reverend authorities have ever really sanctioned them. For, let it be well remembered, the question is not one about deeds, but about principles. It is quite true that Protestants in former days, when they had the power, have often persecuted as ruthlessly as their rivals, and that most of the leading Reformers, British and foreign, deliberately defended the principle of persecution. In this controversy neither side has much right to throw stones at the other, and it would be the truest wisdom as well as the truest charity "to let bygones be bygones," and agree to obliterate the past by a nobler rivalry in mutual forbearance and good will in the future. But then no Protestant of our own day feels bound to the opinions of Calvin or Knox. And Catholics have hitherto, as a rule, felt themselves equally at liberty to repudiate the persecuting doctrines of medieval Popes, and the whole system of the Inquisition based upon them. English Catholics especially have again and again expressly repudiated the whole system, and won equality of civil rights by doing so. But if Papal infallibility became an accepted dogma, they could do so no longer without breaking with their Church altogether. If Popes are infallible now, they were of course always infallible; nor will it avail to plead that some of the earlier enactments against heretics were not contained in formal decrees addressed to the universal Church. For once the Ultramontanes have common sense on their side when they insist that Bulls or Briefs addressed to particular Governments or individuals, like the Munich Brief of 1864, may often be so framed as to be morally equivalent to pronouncements addressed to the whole Church; and such is unquestionably the case with the "Apostolical laws and constitutions" cited here. Neither indeed is it necessary to dwell upon this, for all these constitutions have been solemnly and formally re-affirmed, with the addition of fresh denunciations, by later pontiffs; and notably in the Bull of Paul III. against Henry VIII. in 1535, by Paul IV. in the Bull *Cum ex Apostolatus officio* in 1559, and by Pius V. in the republication of the *In Causa Domini* in 1568. Leo X. expressly condemned the proposition that "to burn heretics alive is against the will of the Holy Ghost." It is therefore matter of faith, on the infallibilist hypothesis, that it is pleasing to the Holy Ghost to burn them. It is not necessary to inflict on our readers here, what they may read for themselves in the statement of "an English Catholic," or more at large in the pages of "Janus" and other historical writers, and in the codes of the Inquisition, the hideous catalogue of penalties and tortures decreed on Papal authority against all heretics, or supposed heretics, down to the third generation, their fathers and abettors, and all who neglect to inform against them or put the law in force for their destruction. But we may briefly recapitulate the summary of these enactments, and of what would, if the Pope be indeed infallible, be an integral portion of Christian truth, as stated by the Catholic writer referred to. No man who is even secretly a heretic has any right to life or property, and it is the absolute duty of every Christian Government to burn all such whose existence it is aware of, and to confiscate their goods. Children are bound to denounce parents, parents children, and friends their friends. Heresy in any one point deprives men of all rights civil or natural, though immorality does not, and their goods become the lawful perquisite of any true believer who can seize them. They are not to be confronted with their accusers, and any witness, however infamous, can give testimony against them. Heretics are outlaws, all whose acts are legally void, who have no claim to common justice, with whom no contracts are binding, and to whom no debts are due. Slavery and the slave-trade are laudable institutions, provided the slaves are heretics or fathers of heretics, or persons who have held commerce and communication with them. With a fiendish refinement of malignity such heretics are excepted from the operation of this ferocious code as give evidence against the secret heresy of their parents, or bring a heretic to the stake. Those who give burial to heretics are relieved from the excommunication incurred by the crime if they "with their own hands dig up the accursed corpse and throw it away." To all which must be added finally that, if ever the new dogma is accepted, every one will be a heretic who disbelieves, even secretly, any one proposition formulated by any single Pope.

We shall not insult the understandings and hearts of our readers, Catholic or Protestant, by wasting any words on exposing the diabolical wickedness of this horrible system, which degrades its adherents far below the average level of Pagan morality. The one point to be insisted on here is that, Papal infallibility once affirmed, every iota of it becomes binding on all Catholics under pain of excommunication in this world and everlasting perdition in the world to come. They may not be bound to carry out the system or attempt to carry it out *hic et nunc*, for that must depend on circumstances which the Church in these evil days cannot control, and a certain prudence is to be observed. But they will be absolutely bound to believe every iota of it to be part and parcel of true Christian ethics. There is no escape. The Pope's infallibility is confined, we are often reminded, to *ex cathedra* decisions on questions of faith and morals. Be it so. The line is not always an easy one to draw, but there is no shadow of ambiguity here. These principles have again and again been enunciated *ex cathedra* by successive Popes, and they bear directly and professedly on questions of Chris-

tian morality. Cruelty, murder, theft, treachery, falsehood, parricide, and the slave trade, are not only excusable but virtuous, in many cases obligatory, wherever heretics are the victims. This is no random invention, or rhetorical platitude, or Protestant slander. It is the barest, driest recapitulation, in all its unadorned simplicity, of a code written down in black and white, recognised in all official dealings of the Roman Court, and reposing on the solemn and reiterated sanctions of Roman Pontiffs. And the infallibility of the Roman Pontiff, according to Dr. Manning, is the foundation on which the whole Christian faith ultimately rests; he is himself, according to Bishop Mermeillod, not only the Vicar, but the last incarnation, of Christ.

THE BETTING-HOUSES.

WE confess, though the confession may prove us to have been in a state of discreditable innocence, that we were rather surprised at the flourishing nature of the peculiar business lately carried on by Mr. William Wright and other gentlemen of his class. Most people are dimly aware that there is such a thing as betting upon horse-races, which is even a favourite amusement amongst certain classes in this country. Many of us think it a matter of social decorum, if not of moral obligation, to have a small stake depending upon the Derby, and it is reported that members of the lower classes are not entirely free from the same superstition. But it is curious to find a large and thriving establishment, giving steady employment to a number of messengers, clerks, and servants, with all the paraphernalia of ledgers and diaries and cash-books, with counterfoils, vouchers, and tickets, and all that complex machinery which is apt to bewilder the non-commercial mind. The office in question seems to have issued nearly 33,000 vouchers during the first six months of 1869, when certain minions of the law cruelly arrested its proceedings; and each of these vouchers represented a bet varying in amount from 10s. to 50s. We are unable to form the slightest guess as to the total amount of money which would be implied by these facts to be changing hands in various offices in the course of the year, but we venture to guess that many persons who would scarcely know a winner of the Derby from a broken-down cab-horse must be indulging in this form of lottery. The names of the horses are probably nothing more to them than the numbers on a roulette table; and the practice is neither better nor worse in point of morality than that which is followed at the tables of Homburg or Baden-Baden. We refrain, however, from plunging into any more precise speculations, because we are painfully conscious of our own ignorance. That we must be ignorant of some important facts would appear to follow from the indignation which the action of the police has caused in certain minds. We should have artlessly imagined that all respectable persons would be heartily pleased at seeing an additional obstacle put in the way of a demoralizing practice; and that those persons would be especially pleased who take the greatest interest in what are called, rightly or wrongly, our noble national pastimes. Gambling is admitted to be objectionable by most writers on morality, but it is especially injurious to the sports upon which it seizes. It is fast converting the Turf into an amusement more or less dangerous to the honour of every person concerned; and nothing should tend more to restore a healthy tone than the discouragement—or, if that were possible, the total suppression—of all the lower varieties of betting men.

It seems, however, that for some reason or other our anticipations are wrong. A good deal of uneasiness is expressed at the possible consequences of the decision now confirmed by the Court of Queen's Bench. An awful prospect is revealed to the eyes of true believers. The judgment recently given only affects persons described as "racing and commission agents." The Act under which they were convicted is stated in the preamble to be directed against a new kind of gaming which has of late sprung up at betting-houses, the owners of which secured money in advance on their promises to pay under certain contingencies. Sir A. Cockburn, who drew the Act as Attorney-General, stated in the House of Commons that he did not mean to attack such places as Tattersall's, where individuals bet with each other, but that he meant that a man should not open a house to bet with all comers, and to keep a bank against which people might stake their cash as against a bank at a hazard table. Assuming that the Act accomplishes the purpose thus stated, and that Mr. Wright has clearly broken its provisions in that sense, it is admitted that there is nothing to be said against it. But then, it is asked with a shudder, may not the words of the Act reach further than their author intended? Or, supposing that they do not, are we not logically bound to go further? Where, to ask the usual and terrible question—where are we to draw the line? If Mr. Wright has sinned, is the proprietor of Tattersall's entitled to throw the first stone at him? It is true that there is a distinction which may make it more easy for the law to deal with one case than the other; but if it is immoral to hold a bank against all comers, it can't be quite right to open an exchange at which facilities are given for making bets as extensively as possible. The evil, if any, is in the gambling, not in the machinery by which it is carried on; and if it is wrong for A. to keep a house in which he is prepared to make bets with B, C, D, and so on to the end of the alphabet, it is wrong in its degree for another man to keep a house in which A, B, C, and D may meet and arrange their various transactions. If we are to assume as an axiom that Tattersall's is a necessary part of the British Con-

stitution, it will follow by the customary process that we are introducing the thin end of one more wedge.

From this logical dilemma we are not concerned to find any escape. We accept the conclusion which is suggested as a *reductio ad absurdum*. The new kind of betting which has sprung up may be more mischievous than the old, because it gives greater facilities for ignorant and foolish people to join in a dangerous game. But it is perfectly plain that the old system is as bad, so far as it goes; and that, if it could be put down, we should have no reason to regret its loss. If Tattersall's were deserted, and grass to grow in its courts, it would be a good thing for everybody except its proprietor. Every kind of gambling is bad and demoralizing, from gambling on the Stock-Exchange to playing pitch-and-toss with halfpence. Of course it does not follow that all gambling should be suppressed by law. In the case of commerce it would be simply impossible, because no one can draw the line between legitimate speculation and simple gambling. A man may be perfectly justified in running even a hazardous risk under certain conditions, especially if it is with his own money; and we cannot distinguish between such conduct and that which is substantially playing a game of pure chance with enormously heavy stakes. This difficulty, however, does not concern us in the case of sporting bets. It is simply impossible for any human being to point out any good they do to anybody; unless, indeed, that they provide employment for persons incapable of any other amusement so nearly innocent as that of simply making ducks and drakes of their fortunes. This negative recommendation can hardly be alleged as a sufficient defence. If, therefore, it were possible at a single blow to do away with betting altogether, we should have little scruple in inflicting the fatal stroke. The objections, however, to extending legislation in such matters rest upon two grounds. There is the abstract question as to the propriety of interfering with individual liberty, and the more practical one as to the possibility of really extirpating the disease, instead of driving it to take a different shape. Theorists are too apt to discuss the first of these difficulties to the exclusion of the second. If they would tell us plainly what it is that legislation can or cannot do, we should generally find it comparatively easy to decide as to the propriety of applying it. Unluckily it is much easier to talk about the metaphysics of the question than about its working in practice. We can write volumes as to the duty of society to put difficulties in the way of intoxication, or to allow every man to find out its evils from personal experience; but it is very hard to obtain even a fragment of evidence as to the degree in which it can really apply effective restraints. If the advocates of the Maine Liquor Law could prove that the people of Maine were really made sober, they would have a much better case against the lovers of individual liberty. The case of gambling is still more difficult. Undoubtedly the suppression of public tables and of offices like that of Mr. Wright puts one source of temptation out of the way; and where public opinion is ready to support the action of the authorities, it tends to make the practice disreputable as well as illegal. But the persistency with which the evil breaks out afresh in new places certainly suggests that all the progress made is not clear gain. And so much may fairly be alleged in behalf of such places as Tattersall's. If the ordinary young Englishman of the period is so devotedly attached to gambling that the absence of a convenient field of operations will only drive him to some evasion of the law, the case may be for the present hopeless. We must wait for the slow operation of that agency of which we hear so much at present. Some time or other, if various Leagues and Societies are not grossly in error, the improved education of the lower orders will induce them to do without public-houses. In time we do not despair of seeing even the upper classes receive a decent education. Our young officers will then be studying fortification, and our young nobles attending to theories of agriculture, instead of producing a certain amount of cerebral excitement by betting on horse-races. Meanwhile, though any increased stringency in the law will certainly require careful consideration, one result seems to be plain. It is common to defend the Act just put in force in the name of the poor apprentices who are enticed by commission agents to invest the proceeds of their master's till. How often this occurs we have no means of knowing, though we presume that so many impressive tracts and articles could hardly have been composed without sufficient cause. The conduct of the typical apprentice is undoubtedly very reprehensible, and it is perhaps worse than that of the merchant or the young nobleman who is led to bankruptcy through gambling, and who does not steal because, amongst other reasons, he can get as much money as he wants without stealing. Though we would not presume to compare the two cases in a moral point of view, it is obvious that there is a certain analogy, which is not without its force amongst the apprentice part of the population. Now, as legislation in such cases depends for its good effect chiefly upon its moral weight, it is plain that it should strike all classes equally. We may suppress some awkward manifestations of the vice by taking them in detail; but the argument from Tattersall's will certainly be in the minds of the people most affected; and we shall not persuade the lower classes that gambling is disreputable, the point at which we are supposed to be aiming, until we prove to them that we dislike it wherever it occurs. The greatest difficulty in proving this at present is probably that it is not true. A large part of our legislators take a very different view, and are merely in earnest in putting down a few inferior imitators or exaggerators of their own faults. That gambling should ever be put down by legislation is, of course, a chimerical idea; but it might be possible

that legislation should distinctly help to lower it in public estimation. At present it accomplishes that end in a very fragmentary and imperfect manner, and is not likely to improve rapidly. We presume, however, that we must be thankful for what we can get.

EDUCATION AND DENOMINATIONALISM.

UNLESS the National Education Union has more reason to be confident of success than is apparent to those not in the secret, it is taking life very much too easily. The Education League is to be heard of in all directions. Its meetings are legion, and, as the speakers at them rarely condescend to take any notice of the objections that have been urged from time to time against the League's proposals, their statements have an air of unhesitating certainty which is very likely in time to work its own justification. What has the Union to set against all this organization and energy? A good deal of true and pertinent criticism, and very little else. The League has its Bill; the Manchester Education Committee has its Bill; the Union, for anything we know to the contrary, has its Bill too, but if so it has not yet come forth from the secretary's desk. It is still in the pigeon-hole state of existence. For a movement which claims to combine all that is good in the present educational system with all that is practicable in the schemes of reformers, this reticence is, to say the least, ill-timed. We know something of what the League and the Manchester Committee want Parliament to do, but as to what the Union wants Parliament to do we really know nothing. All the information vouchsafed to us relates to what it wants Parliament not to do. The League asserts that the only way in which educational destitution can be dealt with is by the establishment of free, undenominational, rate-supported schools; the Union admits that additional schools are wanted, but denies that they ought to be either free, or undenominational, or rate-supported. The League insists that parents must be compelled by law to send their children to school; the Union admits that some kind of compulsion must be resorted to, but will not allow it to be applied to the parent. A controversy of this kind can only be carried on to any profit when the proposals on each side are fully before the world. Details are everything to it. How does the Union propose to provide additional schools; what is the machinery on which it relies for enforcing indirect compulsion? These are questions which nothing but a Bill will answer satisfactorily. It is essential to know whether the particular proposals are capable of being carried out, and whether, if carried out, they are calculated to answer the end proposed. No statement of general principles will help us to this knowledge; it can only be gained by studying, clause by clause, the measure in which the principles are embodied.

In the absence of the kind of information we want, the only resource left us is to make the best of what we can get. For this reason we turn with interest to the letters of Mr. Fraser, the future Bishop of Manchester, and Lord Lyttelton, which were read last Monday at Manchester and Wolverhampton respectively. Mr. Fraser took up, if we understand him rightly, the true line upon denominational and undenominational education:—"I have no particular love," he said, "for denominationalism as such, but I have the strongest possible desire to preserve the religious character of the education given in our elementary schools." It is a great mistake to imagine that, when it has been proved that little or no direct dogmatic teaching is conveyed to the children in denominational schools, the question is thereby disposed of against denominationalism. It is quite possible, for example, that the religious impressions carried away from a Roman Catholic school may not greatly differ from those carried away from a good secular school. In other words, they will in both cases relate chiefly to morals. The child will be taught to tell the truth, to obey his parents, to be punctual and attentive in school, not to steal, not to use bad language, and the like. But it does not follow from this that the teaching in the two cases might be interchanged without injury. The motives appealed to in aid of obedience, and the sanctions invoked in punishment of disobedience, are different, and even contradictory. The secularist could not borrow from the Roman Catholic armoury without being guilty of what he would consider gross superstition; the Roman Catholic could not take his stand on the secularist level without abandoning what he regards as the only system by which morality can be taught effectually. These are extreme cases, but the same kind of difficulty arises in many others. The question is not so much what is to be taught as how it is to be taught, and upon this point the teacher as well as the scholar has a claim to be considered. It is not enough to say, We only wish that children should be made good citizens and useful members of society, and this can be done without the teaching, direct or indirect, of any particular religious doctrines. The denominationalist answer is, Yes, it may be done in this way by a man who is not a believer in any religion, because he has made a substitute for himself; but I have no such substitute, and if you forbid me to teach religion you take away the foundation of my moral teaching. If I am not to mention God or a future state, or not to say whether I accept them as made known to us by revelation or by natural religion only, I am virtually prohibited from giving my scholars what I regard as the only valid criteria between right and wrong. If I am allowed to refer to revelation, I cannot stop short of the characteristics which distinguish a genuine revela-

tion from a false one. The simplest moral lesson may in this way involve the whole essence of Denominationalism. Creeds and dogmas are not so many decorations added on to the substance of religion; they are methods which give shape and character to the whole of it. No doubt, these methods often coincide in some of their results, just as Christianity and Buddhism teach a morality which is in some respects identical. But the roads by which the journey is made do not start from a common point, pursue a common direction for a certain distance, and then diverge; they are different for the whole length of their course.

At the same time we agree with Mr. Fraser that secularism is better than sheer ignorance. If morality cannot be taught apart from denominationalism, and if denominational schools are not to be had, the mere rudiments of reading and writing, if well learnt, must do a child some good. As the Bishop of Exeter said on the same day at Torquay—"I believe that secular education is even by itself a very good thing, but I believe it is by no means the best thing, and I am quite sure that we ought to get the best thing if we can, and if we cannot get it, then as far as we can." It is most desirable that educational reformers should steer clear of the two extremes of fanaticism; that they should neither insist with some secularists that secular education is in itself a better thing than religious education, nor deny with some denominationalists that secular education is better than nothing when religious education is not to be had. And it is impossible, in the present state of the country and of public opinion, that it should be had in all cases. Educational destitution might of course be met by additional Government provision for denominational schools, but it is absolutely useless to look for this. In Liverpool, for instance, the great majority of the lowest class of children are Roman Catholics, and as regards these it would be quite possible to apply a system of free and compulsory education by paying the expenses of an adequate number of Roman Catholic schools, and compelling every Roman Catholic parent to send his children to them, unless they were receiving education elsewhere. In ten years more the whole character of the town would probably be changed by such a measure as this, and the Liverpool merchants would save the education rate in the diminution of thefts from the docks. But who shall venture to describe the temper in which the House of Commons, or for that matter the House of Lords either, would receive such a proposal? To apply the taxation of a Protestant people to the direct encouragement and inculcation of Roman Catholicism, and to compel parents—albeit Roman Catholic parents—to send their children to a school managed by a priest—why, it would be as easy to abolish the Protestant succession. So far, consequently, as the existing school organization is inadequate to meet the wants of Liverpool, there is no alternative but to build secular schools. In such a case as this, however, we suspect that the number of such schools required would not, under a good Education Bill, turn out to be very great. If the advocates of Denominational education will but have the good sense to withdraw their opposition to a system of direct compulsion, it is probable that a great many parents will send their children to a school connected with the denomination to which they nominally belong, rather than to a secular school. Why, for example, should a Liverpool Roman Catholic be an exception to this rule? That he should not now send his children to a Roman Catholic school is intelligible enough. Either he does not like the school fees, or he finds the rules as to punctuality and regularity of attendance irksome both for himself and his child. But supposing him to be compelled by law to send his children either to a Roman Catholic school or to some other school of the same character, we can see no reason against his preferring the former. He will not be out of pocket, since we assume that any denominational school which comes up to a certain standard will have a right to draw upon the State for the amount of school fees, assuming them to be maintained, or for the expenses of each child, assuming them to be abolished. He will be no worse off in respect of strictness of rules, because the law will oblige him to send his child to some certified school, and unless a minimum of discipline is enforced, the secular school would have no title to recognition. Unless, therefore, there were no school of the particular denomination within reach, or none that came up to the required standard, the enactment of a compulsory measure would tend to swell the numbers attending denominational schools. A frank acceptance of direct compulsion as the first stage in educational legislation might be the very best stroke of policy the Union could possibly resort to.

GLADSTONE! SPARE THAT TREE!

THE existence seems to be established, beyond reasonable doubt, of a certain number of persons who are interested in the progress of the Prince of Wales's influenza, and receive with delight the information that the Princess Beatrice has taken a walk, accompanied by Prince Christian, and attended by the Honourable Miss This or Lady Wilhelmina That. Somewhere or other, as Mr. Carlyle is in the habit of announcing, there is actually, if he could be discovered, the foolishness of living persons. The author of *Sartor Resartus* is thrown into ecstasies at the thought of this unique individual, such as might inspire him to write a second encomium on folly. But our great rhapsodist is too absolute in his conclusions. At the very lowest scale of human intelligence there may be a group of persons equally foolish. If we were to make a guess at them, we should con-

jecture that they are the people for whom the *Court Circular* is compiled, and for whom Mr. W. H. Russell and emulous ladies-in-waiting write diaries. It must be confessed that the announcements in which they delight are not without a certain mental stimulus. The difference which separates companionship from attendance, in the instance to which we have referred, requires a certain degree of intellectual subtlety for its proper apprehension. A prince accompanies, it would seem, and a simple lady or gentleman attends. What these two words connote, the shades of intimacy and deference they imply, the physical distance which they express, and the lateral attitude or position of linear sequence—if the phrase may be used—which is involved in them, are mysteries into which it might be profane to pry. Another point requires for its discernment a yet more minute philosophy. There is a distinction, obviously, between taking a walk and accompanying the walker. The former seems, so far as we can gather, to be the prerogative of a Royal Highness, the latter to be the function of a Highness who is simply Serene. To the outward eye, not merely of a careless but of a closely scrutinizing observer, the difference is hidden. The two operations seem to be the same. The distinction is revealed only to the inner consciousness. It is subjective, and not objective. In different combinations of rank the illustrious person who walks may sometimes only accompany; the person who accompanies may be elevated to the dignity of a principal, and walk; and even the relatively humble attendant may occasionally soar to the height of companionship. If the mental states corresponding to these external relations could be discovered, they would prove an interesting portion of practical psychology. When the philosophy of the infinitely little is written, they may one day be found worthy of a chapter.

Next to the exercises of princes, the recreations of statesmen most entrance the minds of the persons whose favourite reading is the *Court Circular*. The bald announcements that Mr. Gladstone has gone to Hawarden, that Mr. Bright has left London for One Ash, or that Mr. Lowe has returned to Lowndes Square, rather stimulate than satisfy. They do not supply sufficient material for the imagination to work upon. The meagre decorum of the chroniclers of fashionable intelligence and Ministerial movements is chilling. Happily there are adventurous spirits who have snatched a fearful joy in a closer contemplation of the awful beings to whom Providence has committed the fate of England, and who are willing to communicate their happiness to mankind in general at the small charge of three-halfpence a line. Even to those whose outward eyes have not been ravished by the blissful spectacle, the mental image of Mr. Gladstone translating Greek in the neighbourhood of a polling-booth or writing letters in a railway-carriage, of Mr. Lowe on his velocipede, or of Mr. Bright with rod, basket, and fishing-boots, are phantoms of delight. But the most enchanting revelation has only lately been made. Horace protested upon his honour, though he did not expect posterity to believe him, that he once saw Bacchus in a retired part of the country giving music-lessons to the nymphs and to the prick-eared satyrs. Apollo worked as a journeyman builder both at Troy and at Megara. Mr. Gladstone has been beheld giving instruction in the art of felling trees, and himself wielding the woodman's axe, in Hagley Park. The rapt gazer affects to make light of the vision vouchsafed to him. He pretends to see in it simply an illustration of Mr. Gladstone's health. But it is evidently much more than this to him and to congenial readers. It is a glimpse of a silvan deity.

Mr. Gladstone's woodland gambols are doubtless pleasant enough. The world has always taken interest in the recreations of its statesmen. Bacon stuffing a fowl with snow to ascertain the effects of cold upon putrescence, and laying out the walks of his garden; Bolingbroke chatting sceptical philosophy with Pope; Burke weighing pigs and drilling peas at Gregories; Windham humanizing his mind with the good old English sports of bull-baiting and prize-fighting; Pitt stately and solemn over his second bottle of port; Fox lazily lolling in the orchard at St. Ann's; Lord Melbourne meditating metaphysics and theology; Lord Derby superintending his stud and his fighting-cocks—these things give the gossip-mongers of history a sort of private intimacy with public men. The spot of Mr. Gladstone's recreation has been appropriately chosen. It is the scene, we believe, so far as the imaginative structure had any real counterpart, of Thomson's *Castle of Indolence*. Possibly the Prime Minister was invited thither in some such terms as the poet had almost prophetically devised:—"Come, dwell with us, true son of virtue, come." There can have been but small hope of inducing Mr. Gladstone "to be content beneath the peaceful dome, and never more to quit the quiet glade." Nevertheless, in momentary respite from "toils but ill-apaid," he may have welcomed the call and promise

To seek the rural shade
There to indulge the muse and nature mark,
While we a lodge for thee will rear in Hagley Park.

Mr. Gladstone's idea of rest is, however, peculiar. Fox used to declare that there was nothing pleasanter than to lie down under a tree with a book, except to lie down under a tree without one. Tityrus recumbent beneath the shade of a wide-spreading beech was his ideal of enjoyment. It is not Mr. Gladstone's. He has been engaged three days, for three hours each day, in cutting down a beech-tree, at Hagley, near Stourbridge, which measured in circumference no less than fourteen feet. This is his idea of repose. His very inertia is strenuous. It has as much *vis à* it as the

labour of other men. Mr. Gladstone may have stimulated his own activity by making the beech-tree fourteen feet in circumference symbolize to his imagination the upas-tree of Protestant ascendancy. Mr. Quilp, if we recollect aright, once purchased the figure-head of an old ship, which he used to belabour in a kind of frenzy, indulging in the pleasing fancy that it was his enemy, Kit Nubbles. Perhaps an occasional thought of the leader of the Opposition lent vigour to Mr. Gladstone's blows. However this may be, the physical training which the Prime Minister has gone through is a serious thing for Mr. Disraeli. The athletic oratory of next Session is likely to beggar previous experience. Allowing for the difference between a man and an age of peace and a man and an age of war, Mr. Gladstone seems to be much of Hotspur's mind;—"he that kills me some six or seven dozen Scots at a breakfast, washes his hands, and says to his wife, 'Fie upon this quiet life, I want work.'" Lord Lyttelton, in whose park the Prime Minister has been practising wood-craft, lately informed a public meeting that a conjugal vow of silence until the opening of Parliament had been imposed on Mr. Gladstone. The current of nerve-force, to use Mr. Bain's language, has been diverted from the tongue to the hands, the energy of which, however, is not solely destructive. "If we are correctly informed," says the country paper to which we are indebted for this glimpse of Mr. Gladstone at Hagley, "this is not the only occasion on which the Premier of England has found recreation in wood-cleaving, for we understand that on the recent visit of his Grace the Archbishop of Syros and Teos to Hawarden, the Right Hon. W. E. Gladstone was discovered busily employed in sawing planks for the completion of a job of joiner's work which he had carried forward to an advanced stage." The Prime Minister has the ingenuity and versatility of one of his own Homeric heroes. His Grace the Archbishop of Syros and Teos possibly discerned in the Right Hon. W. E. Gladstone the modern counterpart of the much-devising Odysseus, who could make sage speeches in council, and, in case of necessity, fell trees and build a raft. In Mr. Gladstone's mastery of the arts alike of wood-craft and of carpentry and joinery, his admirers will recognise the union of destructive power and of constructive skill which they attribute to him in almost superhuman degree.

A very well-known book has celebrated the Divisions of Purley. Some future work may record the Divisions of Hagley. Perhaps we ought to apologize to Mr. Gladstone and Lord Lyttelton for the comparison. An old lady, in one of Mrs. Gaskell's stories, in a complimentary vein, compares somebody to Lucifer, adding by way of explanation, "and he was an angel." Similarly, we may remind Lord Lyttelton and Mr. Gladstone, Home Tooke was in holy orders. They are at liberty to consider him, if they choose, the Lucifer of clergymen. The Divisions of Hagley is a phrase which does not suggest the felling of trees or amateur carpentry. It rather leads the mind to expect studies in chess-openings, the translation—not necessary in Bottom's sense, who conceived himself "translated" when an ass's head had been clapped on his shoulders in lieu of his own—of English poetry into Latin verse, and the discussion of the Ecumenical Council and patristic lore. The Divisions of Purley, however, were little congenial to the genius of the place. Dr. Beadon—the B of the discussions—could not conceive how in a house which had belonged to President Bradshaw, and which one Tooke possessed, and another Tooke visited, anything but revolutionary politics could be talked. English etymology seemed a tame subject for the audacious clerical Wilkite. Possibly some honest Tories will be not less surprised to find the dark anarchist of our day employed in the innocent amusement of wood-craft. The beech which should crush him in its fall would not, we fear, in their view deserve all the curses that Horace bestowed on the tree that had nearly made an end of his life and versifying. The "little gentleman in black" that overthrew King William, the railway-train that ran over Huskisson, and the horse that threw Peel, were hailed by blind party spirit as instruments of a retributive Providence. Mr. Charley, the member for Salford, who has undertaken to be the Prime Minister's Nemesis, will not be superseded, we hope, by an agency not more green and wooden.

ADMIRAL SIR GEORGE SEYMOUR.

THE death of Admiral Sir George Seymour removes one of the few surviving witnesses of the great naval war. The father of this officer served under Lord Howe, and he had himself sailed with Lord Nelson in the *Victory*, and supported Lord Cochrane when he attacked and almost destroyed a French squadron in the Basque Roads. Among the many publications which this exploit of Lord Cochrane has called forth not the least remarkable is *Les Bricots de l'Isle d'Aix*, a French work intended to vindicate the memory of an officer who was condemned and executed for having surrendered his ship to the daring assailants whom Lord Cochrane led, and among whom Captain Seymour was one of the most conspicuously distinguished. On the night of the 11th of April, 1809, when Lord Cochrane, in the *Impérieuse*, was preparing to conduct the attack which he had planned, Captain Seymour, in the *Pallas*, was anchored close at hand, ready to receive the crews of the fire-ships on their return, and to support Lord Cochrane as required. As the son of an admiral and the grandson of a peer, Captain Seymour had all the help which birth can give to merit, and thus he found himself at three-and-twenty years of age captain of a

frigate, and able so to handle her as largely to share the honour of one of the most brilliant services of the British navy. The improvement made in destructive science has been so enormous in recent years that it is difficult to believe that the effect of these fire-ships of 1809 has not been exaggerated. Yet the French themselves, on many occasions, and notably in the book before us, have testified to the havoc they made and the terror they inspired. They were vessels filled with gunpowder, closely rammed in casks, upon which were piled shells and hand-grenades, and having their rigging tastefully festooned with rockets. The French fleet of eleven line-of-battle ships and four frigates was anchored at the mouth of the Charente, and between Isle d'Aix and the Boyart Shoal, which bounded the channel of access to the Charente, was stretched a boom, which the British ships must break before they could assail their enemies. Each fire-ship was conducted by a few men, who, after she had reached within a certain distance of the point of attack, left her to the guidance of wind and tide, and rowed back to the *Impérieuse* and *Pallas*, which were stationed on the inner side of the outer anchorage, which is properly called Basque Roads. Further out lay the main body of the British fleet, with Lord Gambier's flag flying in the *Caledonia*, which is now the hospital-ship at Greenwich. The strong north-west wind and the flood-tide helped the fire-ships to break the boom, but the boats were nearly swamped in the rough sea, and the crews had to labour hard to regain their ships. The fire-ships, says the French writer already quoted, being inanimate could not suffer death, but were destined to inflict it. It was in vain that the batteries of Isle d'Aix, and of the opposite point of Saumondard, and of the French fleet opened on them. "Portés par les vents et par les courants, ils atteignent le but que leur a marqué de loin le perfide insulaire." What pencil could depict the horrors of that fearful night? What words could describe its dangers? We must place ourselves there, in the midst of these devouring flames, of these machines of death and destruction, if we would judge the conduct of those whose duty was to combat or avoid them. The *Calcutta*, formerly an English ship, was commanded by Captain Lafon, the writer's grandfather. She cut her cable to escape imminent peril from the fire-ships, and grounded on the shoal called Les Palles. At daybreak on the 12th of April this ship and twelve others were aground. They were all more or less upon the heel, and most of them were in a desperate situation. "Le jour vint éclairer le spectacle le plus affligeant." To decide the fate of the grounded ships, it only needed that the enemy should advance. These ships could not defend themselves, and still less could they assist each other. The falling tide obliged the *Impérieuse* at daybreak to weigh and stand out towards the British fleet. She signalled to the admiral, "Half the fleet can destroy the enemy." At 10 A.M., when the tide served, she returned to the anchorage which she had left at daybreak.

We do not now enter into the question whether Lord Gambier was justified in withholding the strength of his fleet from the attack which Lord Cochrane contemplated as practicable. After waiting orders from the Admiral until it appeared likely that the grounded French ships would float at high water and escape up the Charente, the *Impérieuse* weighed without orders, and stood in to attack the *Calcutta* and other ships upon Les Palles. Then Lord Gambier sent the other frigates and some line-of-battle ships of light draft of water to support Lord Cochrane. These ships clustered round the *Calcutta* and her consorts, and compelled their surrender or abandonment. The *Calcutta* was set on fire and blew up. During the night two other captured line-of-battle ships were burned by the British, and the French mistook these flaming bodies for a fresh detachment of fire-ships, and opened a cannonade upon them. Next morning the English line-of-battle ships, and nearly all the frigates, made sail to rejoin the Admiral in the outer roads. But the *Impérieuse* remained at anchor, and as the *Pallas* passed her under sail, Captain Seymour hailed to know whether he should stay with her. Lord Cochrane directed him to do so if he had received no order to the contrary. Thereupon the *Pallas* anchored. But it was not given to these two gallant captains to perform further effective service against the French ships, which, by throwing overboard guns and stores, and taking advantage of an unusually high tide, managed to escape up the Charente. The opinion of Napoleon has been often quoted, that if Lord Cochrane had been properly supported he would have taken every one of the French ships. We may be sure that if Lord Cochrane could have disposed at his own discretion of the lighter vessels of the English fleet, he would have at least attempted more than was attempted, and it may be conjectured that in any attack directed by him he would have assigned a prominent position to Captain Seymour. This officer was among the witnesses examined at the court-martial of Lord Gambier, and he expressed his opinion that the line-of-battle ships might have gone in on the 12th of April three hours earlier than they did. It may be inferred that his opinion as to what might have been done did not differ very greatly from that of Lord Cochrane.

It was not the first time that these two officers had served together in these waters. In May, 1806, Lord Cochrane, then commanding the *Pallas*, stood in to reconnoitre the French squadron in the road of Isle d'Aix, leaving as a sort of bottle-holder in the offing the ship-sloop *Kingfisher*, commanded by Captain Seymour. Having arrived nearly within gunshot of the battery on Isle d'Aix, the *Pallas* shortened sail to look about her and make notes. She could see half-a-dozen line-of-battle ships and as many frigates, and they could see her. Presently a French

frigate, the *Minerve*, and three corvettes were seen running down with studding-sails and royals set to capture or drive off the intruder. Knowing how to profit by the heedless manner in which the *Minerve* was approaching, Lord Cochrane kept the main topsail of the *Pallas* shivering, and got all ready to assist the French captain in taking in his flying kites. When the *Minerve* arrived within point-blank shot the *Pallas* opened fire, and very soon shortened the French frigate's sail for her. The action thus commenced, continued for two hours, with such interruptions only as were occasioned by the frequent tacking of the *Pallas* to avoid shoals. The *Pallas* having at last gained the wind of the *Minerve*, ran her on board. But the bower anchor of the *Pallas*, by which her captain expected to hook on, was torn away, and the frigates separated. The French admiral now sent two other frigates to help the *Minerve*, and the *Pallas* being nearly a wreck, bore up towards the offing with what little sail she could set, until the *Kingfisher* took her in tow.

The deceased officer enjoyed opportunities of varied and almost continuous service throughout the war. He went first to sea with his father in 1797, when he was only ten years old, and he was employed, with few intermissions, until the peace in 1815. Among the ships in which he served in his early years was the *Victory*, bearing Lord Nelson's flag. He became lieutenant of the *Donegal*, and sailed in her to the West Indies with Lord Nelson, in pursuit of the Franco-Spanish fleet. Afterwards, in the same ship, he was with the fleet off Cadiz, and it happened that the *Donegal* was sent to Gibraltar to get a ground tier of casks, and thus he missed the battle of Trafalgar. Three days afterwards the *Donegal* rejoined the fleet, and assisted at the capture of the *Rayo*, a Spanish line-of-battle ship. Next year he was lieutenant of the *Northumberland*, bearing the flag of Rear-Admiral Cochrane, uncle of Lord Cochrane, and served in her in an action with a French squadron in the West Indies, which was remarkable from the fact that every French line-of-battle ship engaged in it was either captured or destroyed. The French flag-ship *Impérial* is acknowledged to have been "le plus fort et le plus beau vaisseau qui eût jamais été construit dans aucun pays du monde." She measured upwards of 3,000 tons and carried 130 guns, which were 36, 24, and 18-pounders. Such were the ideas of that time as to size and power. She and her consorts were the *élite* of the Brest fleet, and they were detached by Napoleon to carry troops to San Domingo, and afterwards to harass British commerce, which was the utmost that could be aimed at after Trafalgar had extinguished the hope of invading Britain. The anxiety excited among British merchants by the escape of this squadron from Brest enhanced the rejoicing at its capture. It was found by a British squadron, under Sir John Duckworth, off San Domingo, engaged, and in effect annihilated. The British had seven ships, all two-deckers, while the French had only five ships, but one of them was the finest three-decker in the world. The *Northumberland* occupied the hottest place in this fight, and she incurred the heaviest loss, having 100 men killed and wounded. Among her badly wounded was Lieutenant Seymour. Three French ships were captured and brought home, but the beautiful *Impérial* was not destined to adorn the English navy, for she and another ship were driven ashore and lost upon the rocks of San Domingo. This was in 1806, the year after Trafalgar. In the same year Lieutenant Seymour was promoted and appointed to the *Kingfisher*, in which he supported Lord Cochrane off Isle d'Aix, as already stated.

For such a career as that of Admiral Seymour there is needed opportunity, and also various qualities to make use of it. He had friends, and he kept them, and herein he differed from Lord Cochrane, whom, if he did not equal in natural capacity, he surpassed in length and variety of service. The captain of the *Impérieuse* made himself so obnoxious to the Government that his most brilliant service was his last, while the captain of the *Pallas* was employed until the termination of the war. In after years he was selected for responsible commands, and discharged delicate and difficult duties to the entire satisfaction of his employers. He was a safe as well as an able man, and for thorough practical knowledge of naval war he has left probably no equal. There can be very few officers now living who served with Cochrane and under Nelson.

'TWIXT AXE AND CROWN.

THE production of an historical play in blank verse and five acts is so great a deviation from the beaten track of theatrical management that Mr. Tom Taylor's play called *'Twixt Axe and Crown* demands attention from every one who feels interested in dramatic composition. It is so desirable that an experiment in this direction should succeed, that there is some danger of our persuading ourselves that we have witnessed the result which we desire. The condition of the English stage is such as to reduce its friends nearly to despair. The school of acting of which Mr. Macready was at one time the master, and of which Mr. Phelps is the most distinguished pupil, threatens to become extinct. There are two or three actors yet remaining on the stage who embody the traditions of the English drama as it flourished in the days of Kean and Kemble, but their professional lives cannot be many years prolonged, and it seems that when they depart they will leave behind them no successors. There cannot be a school of actors without a theatre; and although there still lingers among old-fashioned people a taste for the poetic

drama, the lovers of Shakspeare are not so unreasonable as to expect that a theatre can be filled by the performance of Shakspeare's plays alone. A manager must have novelties, and we are desirous to believe that Mr. Tom Taylor has furnished to the Queen's Theatre a new piece of the old sort, in which actors may attain a legitimate success which may encourage them to other efforts in the same line. We should like to see it proved that at least one theatre in London can sustain itself without relying on burlesque, and therefore we are in some danger of over-estimating the merit of Mr. Tom Taylor's play.

The difference between such a play and those plays which are commonly called sensational appears to consist in this, that the author does not content himself with striking incidents, but endeavours to express in language the emotions which these incidents may be expected to awaken. The period of English history embraced by Mr. Tom Taylor's play is sufficiently fertile in incidents suitable for dramatic treatment, and we may perhaps do well if we confine ourselves, at least for the present, to the incidents of the play, without expressing any opinion as to its language. We may venture to inform the lovers of sensational composition that they will find here all that they can possibly require, and also something else which, if they do not value, they can at least endure with patience. We must not be understood to impute to the author an intention which would be presumptuous when we observe that this play follows in order of time the last of the historical plays of Shakspeare. The royal infant at whose christening Cranmer delivers the splendid prophecy of England's greatness in the last scene of *King Henry VIII.*, has become at the opening of Mr. Tom Taylor's play a princess whose graces and popularity provoke the jealousy of the Queen, her sister. The Lady Elizabeth appears before us at the age of twenty, and during the next five years she narrowly escapes the axe and attains the crown. We are so much habituated to the contemplation of Elizabeth as a sovereign, that we are apt to forget that she was a woman, and had been a girl. The love passages between the Princess and Edward Courtenay which form so large a part of the play are founded in nature if not in history, and it is an allowable and pleasing fiction, if not a truth, which ascribes to Queen Elizabeth a lifelong remembrance of her first lost love. If the subject of this play suggests a comparison with Shakspeare, it is equally inevitable that when we come to speak of the author's treatment of it we should remember Sheridan. Let us say therefore that the play contains no scandal about Queen Elizabeth, and that it exemplifies the application of that rule of art which says that, where history gives you a good heroic outline for a play, you may fill up with love at your own discretion. The author has supplied a deficiency in the private history of the times, and has suggested to our minds that the reign of "Bloody Mary" was not occupied exclusively with burning heretics. With the majority of English men and women the world probably went on then pretty much as it did at other times, and Miss Isabella Markham, and perhaps the Princess Elizabeth herself, was not prevented by fear of the fire of Smithfield from feeling the gentler flame of love. The preference of Edward Courtenay for the charms of Elizabeth over the crown of Mary is an incident well calculated to awaken the sympathy of an audience which is thus appealed to at once as Protestant and sentimental. Indeed the capabilities of the subject for touching popular feeling are so considerable that one almost wonders it has not long since been made available for dramatic purposes. There is, for instance, the character of Gardiner, who invokes the aid of Spain to restore in England the power of the Romish Church. It is happily contrived that the plots of Gardiner and his ally Simon Renard, the Spanish envoy, are brought to confusion, and we think that the complete exposure thus effected of the machinations of Rome ought to entitle this play to the support of classes who do not usually bestow their countenance upon anything more dramatic than a lecture with transparencies at the Tabernacle, by Mr. Spurgeon or some other shining light of the Dissenting world. We should like to see an announcement of a grand bespeak of the Protestant Association, who would meet at the Freemasons' Hall under the presidency of some evangelical peer, and, after prayers and a hymn, walk in procession to the Queen's Theatre by way of delivering testimony against Popery. The remembrers of Bloody Mary ought to support this performance to a man, and there is also much in it to excite the sympathy of those who, without bigotry, are honestly proud of that English nation which first attained a world-wide fame under the reign of Protestant Elizabeth. There is something of the spirit of Cranmer's noble prophecy in the lines in which the Princess anticipates the enterprise by which her future subjects shall found in the distant West a settlement—

Acorn it may be of a daughter oak,
Broader and fairer than the parent tree.

It is, as we have said, difficult to imagine that the Queen Elizabeth of history ever was a girl; but such a girl as is represented in this play might have grown into the woman who at once inspired and guided the heroic manhood of her age. And whatever character may be given by Mr. Froude or other historians to Edward Courtenay, we feel that the character drawn by this author is true to nature, and false at most only in a name.

It is no disparagement to this play that it reminds us of the famous play which in order of time it follows, at once in its beauties and defects. The play of *King Henry VIII.*, as Shakspeare wrote it, has been deemed so ill adapted to modern managerial

requirements that it has become the practice to stop short in acting it before the christening of the daughter of Anne Boleyn; and perhaps the speech of Cranmer, foreshadowing the glorious destiny of the child, then first called Elizabeth, has not been spoken on the stage within the memory of any except the oldest playgoers. The play of *Twixt Axe and Crown* is open to the objection which the subject of it has made inevitable, that the interest ceases when the heroine is delivered from the axe, and is certain in the course of nature to attain the crown. The sympathy of the audience is strongly awakened by Elizabeth's peril and Courtenay's devotion in the second, third, and fourth acts; but in the last act, where we see that Elizabeth has gained the crown, and we are told that she has lost her lover, neither her visible exaltation nor her inner sorrow is likely to affect anybody in the theatre to the extent of missing the train on a suburban railway. It would be difficult for the best acting to sustain the interest of Shakspeare's play after the death of Wolsey, at least after the age had passed which had actually shared the glories which Cranmer is made to prophesy. The sorrow of Elizabeth for Courtenay's death is but briefly treated by the modern author, and in this he has done well; for there has been one pen only that could have dwelt upon such a topic without offence. The declaration of the new Queen that she will content herself henceforward with her people's love, and the prayer which she utters when the crown is brought to her, are happily conceived and expressed; and the utmost extent of our adverse criticism is this, that they are better adapted for any other place than that which they occupy at the conclusion of the play.

Great King of Kings! 'tis Thou hast willed it me,
Guide me that I may wear it by Thy will.

With these words, or very nearly these, the curtain falls, and the audience bestirs itself with coats, cloaks, and bonnets. It is not the fault of the performers that they are not called before the curtain at the end of the play, as more than once during the progress of it, for the most energetic and accomplished acting could not sustain at Hatfield House the excitement which was kindled at the Tower of London. But let us say that although some parts of this play act tamely, it might be read throughout with gratification; and there have been of late years very few plays produced which would bear to be read at all. In the second act Courtenay appears in the private chamber of Elizabeth, and offers to defend her against arrest under her sister's warrant, and she rebukes his intrusion and bids him deliver up his sword to the Lieutenant of the Tower. She reproaches him with having forgotten his loyalty to her sister's throne:—

I would have staked my life upon thy faith,
I should have been forsworn.

We do not know whether the author has found the business of this act in history, or in a German play, but the language in which he has clothed it is his own, and we are justified in treating it as a valuable contribution to the dramatic literature of the time. In the third act Courtenay, who is in the Tower, is placed by order of the Council in the way of Sir Thomas Wyatt, the leader of the Kentish insurrection, as he is led to execution. The Council order this in the expectation that Wyatt may be tempted, by the hope of saving his own life, to say that which may cause the life of Courtenay to be forfeited. But Wyatt resists this temptation loyally, and walks towards the scaffold with a courage which Courtenay desires that he may himself imitate:—

May I bear me
As like a gallant soldier when I tread
The road that he goes now.

Afterwards Elizabeth and Courtenay have a meeting in the Tower, and exchange vows of constancy, which both kept through life. He died at the moment that she attained the crown, and the Queen of England mourned from youth into old age the withering of her white rose. The Council is persuaded by the influence of Gardiner to sign a warrant for the execution of Elizabeth, but when it is brought to her, she notices that it wants the signature of the Queen, and she pleads with the Lieutenant of the Tower at once for justice and for pity:—

Thou hast a daughter nigh upon my years,
Think that she speaks in me.

The Lieutenant refuses to obey the invalid warrant, and the moment when Gardiner retires baffled from the prison-chamber of Elizabeth is perhaps the most effective in the play. The scenes in which the jealousy, love, rage, and mortal sickness of Queen Mary are represented are naturally inferior in interest to those in which Elizabeth is the central figure; and we cannot help feeling that no actress inferior to her whom the oldest playgoers remember as Queen Mary's mother could have given to these scenes their utmost force without danger of provoking either disgust or ridicule.

The condition of the poetic drama in England can only be described as one degree short of desperate. Of the author or actor of it who attempts to live by his profession it may be most truly said *laudatur et alget*. The writer of such a part as that of Queen Mary may perhaps complain that his conception has been realized improperly. We can only wonder that it has been realized so well. Even Mrs. Siddons could not have played Queen Katharine as she did unless she had played many other parts from the same class of plays before. There is almost no school remaining in which actor or actress who aspires to such parts can learn to play them, and there threatens shortly to be no school at

all. The public has allowed the lessee of the Princess's Theatre to ruin himself by producing *Acis and Galatea*, and the lessee of the Holborn Theatre has nearly attained ruin by producing the class of plays which are usually called legitimate. The lessee of the Queen's Theatre has made even a bolder experiment by producing a poetic drama, and if this experiment should fail, it is scarcely likely to be repeated. Of the acting of this play we will only say, that we wonder it should be so good as it is, and we greatly fear that in a few years such acting will be a lost tradition of the stage. To prevent this deplorable consummation rests with the intelligent portion of the public. The poetic drama of England is as it were between axe and crown. We greatly fear that it is more likely to suffer extinction than to regain popularity. But there remain an author and a manager capable of making an honest effort for its revival.

REVIEWS.

MR. FROUDE'S FINAL VOLUMES.*

(Second Notice.)

MR. FROUDE'S eleventh volume, the fifth of the special Elizabethan series, takes in the history of about eleven years. It begins in 1573 and ends in 1584. No very marked epochs coincide with its beginning and ending, and no events of first-rate magnitude—none like some of those which have gone before and some of those which are to come after—come within its range. It is mainly taken up with the usual wearisome intrigues—intrigues with Scotland, France, and the revolted Netherlands, including, beyond all others, the infinitely ridiculous courtship of the Duke of Alençon or, more strictly, Duke of Anjou. A good deal of important constitutional and Parliamentary matter, which might have been got at by a process no harder than a little more study of Sir Simonds D'Ewes, is passed by altogether. We do hear now and then of Parliament and its doings, especially when they allow a slap at the Bishops, but a writer who really cared for constitutional history would have found a good deal more to say about it than Mr. Froude has done. Hallam was fully awake to the constitutional importance of this time, and we could gladly have exchanged a good deal of diplomatic worry for even so much as D'Ewes gives us of the matter of Arthur Hall. But, though the period, as a whole, is not one of first-rate interest, it contains the beginnings of most important events. We have here the famous voyage of Drake—the beginning, as Mr. Froude says, of the maritime dominion of England, but also the more immediate beginning of changed relations with Spain. We have here too the beginnings of a new policy on the part of Pope and Papists, the establishment of those Jesuit missions which so easily grew into Jesuit conspiracies spreading from Rome and Madrid to Sheffield and Edinburgh. We have entered, in short, on the last stage of the road which is to lead us to the great subjects of the last volume, the beheading of Mary Stuart and the great expedition of the Armada. The voyage of Drake and the mission of Campian are told in Mr. Froude's best manner. He gives us also an Irish chapter, which, as usual, is the best in the volume. In short, wars, seditions, martyrdoms, voyages round the world, are all of them reliefs in a dreary wilderness of French, Scottish, and Spanish intrigues, a period almost wholly devoid of the romantic interest of either a few years earlier or a few years later. Before we reach the end of the volume we have conceived a profound weariness of French princes, Spanish ambassadors, and Scottish nobles, and we begin to sigh for Fotheringhay and for Tilbury.

As we shall have a good deal of fault to find with Mr. Froude in matters of detail, let us begin by doing full justice to the best passage in the volume. Assuming the fact, for which however we should have liked a reference, that the morning was cold and wild, any historian might be proud to have written Mr. Froude's description of Campian and his companions going to execution. It is a passage such as Mr. Froude can write when he chooses, a passage without a single metaphor, without a single piece of affectation, without a single instance of bad taste of any kind:—

For some cause, probably Elizabeth's reluctance, the execution was deferred for a week. She could order Yorkshire peasants to be hung in batches with undisturbed composure. She could read without distress of the wholesale slaughter of Irish mothers and their babes, but each death-warrant which she signed for a person that she had herself been acquainted with cost her poignant anguish.

At length, on the 1st of December, Campian, wearing the gown which he had worn at his trial, was brought with Sherwin and Bryant out of the Tower. They had suffered their last miseries there, and Little-cause, and the scavenger's daughter, and the thumbscrew, and the rack, and the black cells, and the foul water, were parted with for ever. Peace at any rate, and, after one more pang, a painless rest lay now before them. The torture chamber brought one blessing with it—Death had ceased to be terrible.

The morning was cold and wild. They were lashed on hurdles, their hollow faces transparent with the beauty of highly wrought enthusiasm. As they were dragged along the road they were spattered with showers of mud from the horses' hoofs. Notwithstanding the weather the streets were thronged, and familiar as these dreadful scenes had become, the crowd was unusually excited. At Tyburn, round the gallows, more than three thousand gentlemen were assembled on horseback, and every spot of vantage ground was covered with knots of citizens. Sir Francis Knollys, Lord Charles

* *History of England from the Fall of Wolsey to the Defeat of the Spanish Armada*. By James Anthony Froude, M.A. Reign of Elizabeth. Vols. V. and VI. London: Longmans & Co. 1870.

Howard, and Sir Henry Lee, attended officially with pardons ready if the prisoners would but consent to hear a Protestant sermon, or would acknowledge in plain words that the Pope could not depose their Sovereign.

We have in our first notice complained, as we have often had to complain before, of Mr. Froude's way of dealing with ecclesiastical matters. While he gives no connected or intelligible view of the ecclesiastical history of the time, he never loses a chance of letting out, either at the Church of England in general or at any particular Bishop of it. Grindal alone gets a little favour. Mr. Froude's hatred sometimes breaks all bounds, and in one place at least has led him to disfigure his pages with a piece of rabid petulance which would have disgraced the columns of a religious newspaper:—

The irony of fate had flung on Elizabeth, who disdained the name of Protestant, the task of defending the Reformation in the countries where Protestantism was most pronounced. The prim, self-satisfied Anglo-Catholic prided himself on the gulf of separation which divided him from the Calvinist. The Anglo-Catholic had his Apostolic succession, his episcopate, and his sacraments. He fasted twice in the week, he gave tithes of all that he possessed. He was not as Knox or Beza, and was clamorous in his demand to be distinguished from them. He was a thing of vapour, but he depended for his existence on the Protestantism which he despised.

The Anglican, however, is not the only object of Mr. Froude's scoffs. He can, as we have seen, when he is in a better mood, describe the sufferings even of a Papist with exquisite beauty and pathos. His usual temper, however, is different, and sometimes carries him into what very strict people would say savoured of blasphemy. Campian came over to England under the special protection, as he believed, of St. John Baptist. Such a belief may involve theological error, but it need not lead the historian who records it into brutal and irreverent sneering. Campian is taken before the Mayor of Dover. The Mayor

was on the point of sending him to the Council, when God and St. John introduced an old man in some authority, who overruled the magistrates and dismissed him. Believing himself thus under the special guardianship of heaven, he too went to London, and made his way to the friend in Fetter Lane.

And so, a little way on, we read (p. 345) "Three times they invoked St. John as Campian's patron saint. But St. John had left them to their fate." The first of these passages is a good illustration of Mr. Froude's habitual looseness of narrative. An accurate writer would have given some account of this old man in some authority who so mysteriously overrules the magistrates. If he could himself make nothing from his authorities, he should at least have given the extract, that his readers might have a chance of making something out for themselves. But on subjects of this kind Mr. Froude's only object is to be smart. He forgets that it would be quite as easy for a Sadducee to be smart on some outpourings of his own. What is the use of talking (p. 167) of "passions deep as the hell which the Popes mistook for heaven"? Or again (p. 633) of "a hearty alliance with England, a bold defiance of Pope, Spain, and devil?" We once heard a man described, a little irreverently perhaps, but anyhow forcibly, as "a God-and-the-devil man." The description was not meant for Mr. Froude, but it certainly hits him off. Mr. Froude thinks it superstitious to believe in St. John Baptist, and he has a right to his opinion. But there are other people who think it superstitious to believe in a devil, and they have a right to their opinion also. And after all we should not like to guarantee Mr. Froude's orthodoxy according to any recognised Christian confession. At any rate he must choose between his orthodoxy and his French. What are we to make out of this? "The Duke of Guise, being a knight of the order of *St. Esprit*, which Henry III. had founded" (p. 465). What idea does Mr. Froude attach to the words "*St. Esprit*?" Does he believe that there ever was in history or in legend a saint bearing the name of *Esprit*? There is no doubt that many people believe that churches are dedicated to a personal saint named *Sepulchre*, and the Church of the Divine Wisdom in the New Rome has given birth to a legend of a personal Saint Sophia and her daughters Faith, Hope, and Charity. And when we remember "*St. Ampull*," it is really not impossible that Mr. Froude may believe in a *St. Esprit* to match. If not, he does himself injustice by not either translating the words or else putting them plainly in the form of a French quotation. "The Order of the Holy Ghost" would be scholar's English. "The Order of the *Saint Esprit*" would be at least Court Circular English. As it is, were it not for Mr. Froude's special contempt for St. John Baptist, we should be inclined to infer that he belonged to that sect of imperfect believers whom St. Paul once found at Ephesus.

Mr. Froude's blunders on these matters are an old story. It is most likely a flourish and no more when he writes:—

The Jesuit leaven was working to some purpose. The six noblemen had all been "received" in course of the past year, and their dread of disloyalty had been washed away in the waters of their baptism.

Has Mr. Froude any authority for implying that the Jesuits in Elizabeth's time rebaptized their proselytes—proselytes who may very possibly have been baptized in the days of Mary? The fact, if true, is remarkable and important, and Mr. Froude should have given his authority for it. But the chances are that he never thought of the fact either way, or of anything else except turning a period.

Mr. Froude, as we have shown, and as every one knows, can write English when he chooses. Why then does he so constantly sink into vulgarisms?—in one place (p. 31) he stoops as low as "mutual friend." Why does he so constantly not only use modern cant phrases, but even put them into the mouths of his characters?

We are quite sure that William the Silent never assured Elizabeth that she could at any time "control the situation." We can well believe that Don Bernardino de Mendoza said that he looked on the Pope as undoubtedly God's Vicar (p. 316), but we should like to see the original Spanish before we believe that he added that he was the "head of the Roman Catholic World." In one place (p. 676) he does give us the Spanish, and it is really a little hard that when Don Bernardino says that he was not born "*para revolver Reynos*," he should be made to talk in English about "revolutionizing" them. So too in p. 663. We are astonished to find Fontenay, an agent of Mary Stuart, writing more than two hundred years before the beginning of the great French Revolution, talking, in a letter which Mr. Froude gives in inverted commas, about the "terrorism" under which James had been brought up. Then Mr. Froude has a most wonderful way of making all those of his characters who are put to death, even though the most orthodox Protestants only are concerned, have a "short shrift." He seems really to think that the word means, not confession, but respite. We can conceive no motive, except that Mr. Froude happened to have a French document before him, for saying that "the head of the Erskine's house was the hereditary *Châtelain*" of Stirling. With political terms he of course makes the usual havoc. Certain people are made as early as 1581 to contemplate the "dismemberment of the French Empire" (p. 283). A few pages back we read that "Dumbarton was made over to him (Lennox or Stuart of Aubigny) as an *appanage* of his earldom." This is one of the last invented newspaper vulgarisms, Mr. Froude and his fellows seemingly thinking that *appanage* means *appendage*. If Mr. Froude would only give us two more volumes, we should fully expect before he had done to find Lord Burghley or some other far-seeing person in the act of "predicating" future events. It is perhaps needless to say that all Mr. Froude's characters, without distinction of sex, still remain, as they have been from the beginning, subject to mysterious attacks of "hysteria" (p. 344). We are, however, not quite sure whether these attacks extend to laymen. One is tempted to think that Mr. Froude's actors must have made a raid in a body on the temple of Ascalon, and that the clerical portion of them remained as a distinct class of Enarees, labouring under the *θῦλας νόσος*. However this may be, there can be no doubt that the following is a very odd piece of natural history:—

Even the lamb, when affected by theological fanaticism, secretes a virus in his teeth, and his bite is as deadly as a rattlesnake's.—xi. 307.

See what it is to write metaphors. Mr. Froude we suppose is thinking either of Kirke's Lambs or the Nottingham Lambs. As to the ruminant *Ovis Aries* at any time of its life, we should be inclined to say with Cuvier in his dream, when Mr. Froude's favourite devil threatened to eat him, "Horns and hoofs, graminivorous, not afraid of you."

That Mr. Froude's law would be queer might be taken as a matter of course. What does he mean when he says (p. 73) that "the secret marriage of a prince of blood both was and is an offence against the State"? Is Mr. Froude thinking of the Royal Marriage Act of George the Third's time, or what? Or can he give us a definition of a "prince of the blood," a thing for which we have long been seeking in vain? There is another passage which makes us suspect that Mr. Froude belongs to the following of Mr. Disraeli and Dr. Ball. Lord Balinglass is made in p. 228 to say, "A woman incapable of orders could not be head of the Church—a thing which Christ did not grant to his own mother." Here again Balinglass's supposed words are put in inverted commas, but experience shows that Mr. Froude's inverted commas cannot be trusted. What did Balinglass really say? If he did talk about "Head of the Church," Mr. Froude, by adding, without commas, "Elizabeth by usurping the title had forfeited her sovereignty," makes the mistake his own. And another point seems not to have struck him. The objection to Elizabeth's ecclesiastical supremacy here comes under the head of "the monstrous regiment of women." Was there a class—such a class is quite possible—who had accepted the supremacy under Henry, but who, on this ground, objected to it under Elizabeth?

On the other hand, we must remark with pleasure that Mr. Froude has by this time learned the existence of the "*peine forte et dure*," about which he was so grievously puzzled at an earlier stage. About torture, strictly so-called, his line is somewhat amusing. He now knows that it was illegal, which it is not clear whether he did know when he wrote his eighth volume (see p. 386), or his fourth (see p. 502). In one place in the present volume he rejoices in eloquent words that we have got rid of it. Yet he seems to have a sort of lingering love for a practice so strongly savouring of the days of Good King Harry. He speaks (p. 614) with a sort of chuckle of Throgmorton's narrative, "which proves, if not the lawfulness, yet the tremendous efficiency of the method by which Elizabeth's statesmen baffled the conspiracies of the Catholics." Just before he had said that "the times did not permit humanity to traitors to imperil the safety of the realm." And he adds, "The Queen gave the necessary authority to proceed with the pains." In an earlier passage he goes more fully into the philosophy of the thing, and excuses it, as anything else may be excused, by the tyrant's plea of necessity:—

A practice which by the law was always forbidden could be palliated only by a danger so great that the nation had become like an army in the field. It was repudiated on the return of calmer times, and the employment of it rests as a stain on the memory of those by whom it was used. It is none the less certain, however, that the danger was real and terrible, and the same causes which relieve a commander in active service from the restraints of

the common law apply to the conduct of statesmen who are dealing with organised treason. The law is made for the nation, not the nation for the law. Those who transgress do it at their own risk, but they may plead circumstances at the bar of history, and have a right to be heard.

Mr. Froude's account of Drake's voyage is, as we have said, one of the best things in his book. It is a thoroughly good narrative. But his incurable inaccuracy of quotation follows him even here. He several times quotes Camden, but in the passage which he translates (p. 376), the words "there wanted not some" are surely weak beside the original "non deerant tamen qui nasutiores sibi visi." So when he quotes Camden again in p. 404, it would have been fairer not to have left out the passage which he must have had before him where Camden sums up the three charges brought against Drake, "quod Doughtieum supplicio affecisset, Lusitanum quem in Africæ ora ceperat, ad Aquatulum, Hispanorum crudelitati reliquisset, et Nigritam illam puellam in nave gravidatam in insulam inhumane exposuisset."

As usual, the Irish chapter is the best in the book. It is a chapter which no Englishman can read without a feeling of burning shame, a chapter which no one who reads can wonder that Irishmen to this day do not love England. Truly might Burghley say that "the Flemings had not such cause to rebel by the oppression of the Spaniards as is reported of the Irish people." The word "sport" has had many, though always kindred, meanings at different times. In those days it seems to have meant the amusement of killing Irish folk of all sorts, "blind and aged, women and children, sick and idiots, sparing none." One man, Sir Edward Fenton, if Mr. Froude's extract may be trusted, regretted on one occasion that

The sport had generally been bad. They had hanged a priest, whom from his Spanish dress they had conceived at first to be the Legate. "Otherwise," he says, "we took small prey, and killed less people, though we searched many places in our travel."

This was not the worst. If Mendoza spoke the truth, "an English officer, a favourite of the Viceroy, invited seventeen Irish gentlemen to supper, and when they rose from table had them all stabbed." Whether this be true or not, it is a speaking comment on the state of things when such a tale could even be invented. Elsewhere we hear of people being put to death "by justice and martial law"—a strange couple to come together. Sir William Drury, too, seems to have extemporized a yet more remarkable form of law, namely "natural law," by which he hanged a "blackamoor [was he hanged simply for being black?] and two witches, for that he found no law to try them by in the realm." As to the awful story of the caves of Rathlin we will only refer our readers to Mr. Froude's really beautiful and touching narrative of it. And we will wind up with this remark, a remark perhaps of wider application than Mr. Froude intended:—

Notwithstanding Rathlin, Essex was one of the noblest of living Englishmen, and that such a man could have ordered such a deed, being totally unconscious of the horror of it, is not the least instructive feature in the dreadful story.

The concluding volume, the sixth according to one reckoning, the twelfth according to the other, we reserve for another notice.

MADAME DE SÉVIGNÉ.*

WILL the onward march of female education in England take account, in passing, of the almost forgotten accomplishment of letter-writing? Will our girl-graduates and petticoated A.A.s owe any of the laurels which are to grace their brows in the new era of equality of intellect and culture to achievements in a field which their great-grandmothers occupied with eminent success, but from which the modern matron and maiden have to a great extent retired? On all hands one hears that women's letters are not what they used to be. The penny-post has made them fragmentary; the world's railway pace has curtailed the leisure requisite for a task which in less busy days was a pleasure; nor is it at all certain that when Ladies' Colleges shall have encouraged or enforced severer studies, like the mathematics, their effect upon the readableness of young ladies' correspondence will be an improvement upon the good old times when the pen of the ready writer was held by fingers not less skilled in the composition of pastry and piercets. At all events let us hope that the "equal husbandry" which is to make woman a match for her stronger helpmate will not overlook an opportunity, dear to female ambition, of snatching a victory in this particular. The adoption of Madame de Sévigné's Letters as a French reading-book would materially aid towards this object, and tend to the recovery by our girls of a secret the charm of which would more than aught else bring the male sex to submission. Women who could write with a tithe of Madame de Sévigné's spirit would soon have mankind at their feet. But who now reads Madame de Sévigné? A few of those who live in the past. Her many volumes, in the original or in translations, linger on the upper shelves of old-fashioned libraries, but they are seldom quoted or referred to, and there has been no new translation or English edition for the last half century. Yet they deserve study in any form. They repay perusal even in the poor perfunctory translation of 1764, for a knowledge of which we are indebted to the favour it found with female ancestors eighty or ninety years ago; but infinitely more fruitful, as regards the improvement of epistolary style, must be a bestowal on the original of the same sort of

analysis and study which we devote to an ancient classic—living in it until we get imbued with it, and until insensibly its thoughts and manner infect our own.

To those who have not time or patience for this the handsome volume before us offers a means of compromise. It consists of a capital selection of picked letters from M. Adolphe Regnier's complete edition in fourteen volumes; and may be held to contain the cream of the cream which that accomplished *littérateur* had been in a position to offer to the public after his succession to the unfinished task and researches of M. Momerque. Well annotated, beautifully illustrated, and set before readers in a type more conducive to immediate comprehension than Madame de Sévigné's handwriting could have been—to judge from the facsimiles of it—these selections possess the merit of omitting nought that is memorable or characteristic, while they retain nothing that can possibly be objectionable on the score of indelicacy or repetition. They furnish, too, an adequate conspectus of the life through the letters, leaving no year unmarked and without its chronicle, while a comparison of the complete edition will attest the judgment that has guided the compiler as much in his work of omission as in that of retention. Neither the peerless letter-writer herself (could she pierce the veil to glance at these selections) nor her most vehement admirers can possibly find a fault with the amount of justice done in the volume before us to the manifold gifts and intensely natural charm of her correspondence.

To discuss these at length would be but to retrace a beaten track; and the author of the preface does well to confine himself pretty much to the Marchioness's own estimate of them. All that can be said is comprehended in her epithets "naturel et dérangé," and that bolder expression "pas figé" which, negative though it is, asserts so much for the unfrozen warmth and clear crystalline flow of her style. It would be hard to name a writer who, upon whatever matter, so irresistibly communicates warmth through the medium of written words, and this through internal evidence of genuine heartiness which unlocks the door of sympathy and reciprocation. Add to this the impression of unstudiedness which each letter bears upon its face, and which the author of the preface not inaptly contrasts with the far more strictly grammatical precision of Malherbe:—

Je doute [he writes] qu'entre tous nos écrivains, surtout depuis que la grammaire a régulièrement établi son empire, il y en ait un seul chez qui ce sentiment de la langue, de ce qu'elle peut et veut, soit plus vif, plus fort, plus pur, que dans les livres et faciles pages de Mme de Sévigné. Son style, comparé à celui d'un auteur correct par principe et par étude, timidement préoccupé des règles, c'est de l'eau de roche, limpide et fraîche, auprès d'une eau qu'a filtrée proprement, pour les usages domestiques, quelque industriel appareil.

Whence came this charming and unique gift of a natural and facile style? Was it hereditary, or accidental, or the result of culture and circumstances? Not certainly the first. To judge from her father's career, which terminated when she was but eighteen months old, and from the single sample his daughter has preserved of his epistolary style, he must have been more at home with the sword than the pen. His laconically offensive note to a new-made Maréchal of France, in which he attributes his promotion to "qualité, barbe noire, familiarité," in so many words, may illustrate the figure "asyndeton," but gives little evidence of that easy flow which characterized his daughter's correspondence. Her mother died when she was between seven and eight years of age. From that time she became the charge of her uncle, Philip de Coulanges, Abbé de Livri, "le bien Bon" as she terms him, who stood by her till the day of her death, who formed her mind, imparted to her the solid excellences of his own character, and provided for her those tutors to whom, if to any training or teaching, she must have owed the gift for which she has become so famous. These were an indifferent poet, Chapelain, and Giles Menage, the Varro of the seventeenth century. From the latter she learned Spanish, Italian, and Latin enough to be able to read and appreciate Tacitus, and whatever of the high-flown she was in danger of catching from the former must have been admirably kept in check by her practical and strong-headed guardian. She grew up to be a *précieuse* in the better sense of the term, as designating refinement of taste and sentiment with urbanity of manners and language, though no woman ever deserved so little the charge of being prudish or finical (see p. xviii.).

There is no reason to suppose that she acquired her proficiency in letter-writing in the days of courtship which preceded her marriage with the handsome marquis, of whom it was said "qu'il l'estimoit et ne l'aimoit point, au lieu qu'elle l'aimoit et ne l'estimoit point"; but perhaps it is scarcely correct to attribute it exclusively to her heart's yearning after the spoilt and much-petted daughter whom, after nurturing her with a devotion from which the most splendid offers of marriage were powerless to divert her, she saw depart to a distant government with a husband, the Comte de Grignan. Undoubtedly from the day of this daughter's marriage Madame de Sévigné's life-business was to write to her; but though it has become impossible to separate her letters in thought from the idea of Madame de Grignan as their sole recipient, it cannot be denied that in the letters to her guardian Coulanges, and to her cousin Bussy Rabutin, the rare epistolary talent for which she has no equal comes out as unmistakably as in those to which the motive cause was the attraction of maternal love. Nothing can be more lively than the raillery with which she revenges herself upon Bussy Rabutin for having made her the subject of caricature and satire, because he

* *Lettres choisies de Madame de Sévigné.* Extraites de l'édition des grands écrivains de la France, et publiées sous la direction de M. Adolphe Regnier, membre de l'Institut. Paris: Hachette et Co. 1870.

could not effect a loan from her to help his necessities; or the tone in which, having said her say, she in another letter lifts this recreant cousin from the ground, and gives him his life and sword when she has him at her mercy (pp. 41-2). How good, too, is the announcement to him of her daughter's match:—

Il faut que je vous apprenne une nouvelle, qui sans doute vous donnera de la joie: c'est qu'enfin la plus jolie fille de France épouse, non pas le plus joli garçon, mais un des plus honnêtes hommes du royaume: c'est M. de Grignan, que vous connoissez il y a longtemps. *Toutes ses femmes sont mortes pour faire place à votre cousine*, et même son père et son fils, par une bonté extraordinaire, de sorte qu'étant plus riche qu'il n'a jamais été, et se trouvant d'ailleurs, et par sa naissance, et par ses établissements, et par ses bonnes qualités, tel que nous le pouvons souhaiter, nous ne le marchandons point, comme on a accoutumé de faire: nous nous en fions bien aux deux familles qui ont passé devant vous.—P. 43.

Nothing can be better in its way than this sketch of the writer's son-in-law elect, or more full of quiet humour than her justification of herself for not going deeply into the financial circumstances of a widower for the second time, who proposed to make her daughter his third wife. That her confidence was misplaced in this case is discoverable from the subsequent history of the Grignans, but this does not detract from the exquisite humour of the passage quoted. In truth it is impossible to read half a dozen of her letters consecutively without recalling a casual remark which she makes somewhere in excuse for some joke or good story, "vous voyez bien que se chatouiller pour se faire rire, c'est justement ce que nous faisons." Earnest and downright as she was in her loves and her friendships, Madame de Sévigné was nevertheless alive to the fear of being reproached with over-sentimentality, and so is continually found enlivening her paper with a quaint fancy, an odd anecdote, or a rapid caricature of some one or other of her acquaintance. Thus, when she is day after day keeping M. de Pomponne *au courant* of the progress of the great "Fouquet" trial, she enlivens the seriousness of her partisanship by a most comic glimpse of the sleeping "Chancelier"; when she is describing to her daughter the pomps and splendours of M. le duc de Chaulnes's entertainment of "Les États" in Brittany, she cannot resist a little ridicule of the pyramid of fruits, which was so tall that the doors of the dining-room had to be heightened, and so highly and heavily piled up that, when it came down "with a run," the smash of china dishes was extensive enough to drown the sound of violins, hautboys, and trumpets. Even when wound up to a high pitch of fervour in the description of the grand funeral oration for the great Chancellor Séguier, she cannot help telling her daughter how she got up a joke at the expense of a tuft-hunting ecclesiastic:—"J'ai dit à Guitaut, 'Cherchons un peu notre ami Marseille, nous ne l'avons point vu.' Je lui dis tout bas, 'Si c'étoit l'oraison funèbre de quelqu'un qui fût vivant, il n'y manqueroit pas.'" No doubt this bit of facetiousness must have tickled Madame de Grignan's fancy when she read it, as much as it did M. Guitaut's ear when whispered into it.

But humour is far from being the sole ingredient of merit in these admirable letters. In fact they are a subtle and undefinable compound of a great many excellent spices. No writer could ever create a stronger impression of being in earnest, as witness her various letters on the death of her admirer, the great Turenne, or those on the prosecution of Fouquet, or, in short, any of those in which her heart and sympathy is enlisted. But she had a horror of wearying those to whom she was writing. Hence her lively turns, her happy resorts to anecdote, imagery, poetry; in a word, whatever suggests itself to her versatile fancy. There is something too in the fact that she never goes too deep. Though, with her quasi-clerical bringing up, she dabbled in philosophy, and tried hard to profit by hearing the sermons of Bourdaloue and Mascarion, one feels that her most pious meditations do not lift her very high above the level of other "miserable sinners," and that with her "ce que les dévots appellent une pensée habituelle" is bestowed unreservedly upon no less mundane an object than her daughter De Grignan. How true, even if little below the surface, are many of the reflections she addresses to this goddess of her maternal idolatry! "Quand on est fort éloigné, on ne se moque plus des lettres qui commencent par 'J'ai reçu la vôtre.'" And this, on coming off a journey:—"C'est une chose étrange que les grands voyages; si l'on étoit toujours dans le sentiment qu'on a quand on arrive, on ne sortirait jamais du lieu où l'on est; mais la Providence fait qu'on oublie." Her sentiments indeed seldom soar above those of "une jolie païenne," as she seemed to the venerable Arnauld Andilly; but to the children of this world they recommend themselves as eminently practical; for instance, when she says that she does not like Greek or Roman history as much as French, because the latter, commemorating the names and acts of her own ancestors, speaks more directly home, and touches a chord that cannot fail to respond. Not but that she owed something to ancient literature. Her grammar might have been careless, and her sentences inartificial; but that clearness of narrative, that general lucidity, which absolves the reader from any need to think twice about her drift or meaning, may have been due to the teaching of Menage, her instructor in Latin, and to that language to which moderns owe their best notions of style. Did space suffice, we might moralize, with the help of the introduction to the volume before us, on the scant gratitude which her incessant devotion to Madame de Grignan secured for this most delightful of letter-writers. She was left to die of small-pox, unsoothed by the daughter to whom she had been the most unselfish of mothers. An ill requital for the lavish fondness of years! But our business is with her letters,

not with her life or its end. As a sample of her liveliest vein of story-telling we give, in conclusion, this almost perfect extract:—

L'archevêque de Reims revenoit hier fort vite de Saint-Germain, comme un tourbillon. S'il étoit grand seigneur, ses gens le croient encore plus que lui. Ils passaient au travers de Nanterre, *tra, tra, tra*; ils rencontrent un homme à cheval, *gare, gare*; ce pauvre homme se veut ranger, son cheval ne le veut pas; enfin le carrosse et les six chevaux renversent cul par-dessus tête le pauvre homme et le cheval, et passent par-dessus, et ai bien par-dessus que le carrosse en fut versé et renversé: en même temps l'homme et le cheval, au lieu de s'amuser à être roués et estropiés, se relèvent miraculeusement, et remontent l'un sur l'autre, et s'enfuient et courent encore, pendant que les laquais et le cocher, et l'archevêque même, se mettent à crier: "Arrête, arrête le coquin, qu'on lui donne cent coups." L'archevêque, en racontant ceci, disoit: "Si j'avois tenu ce maraud-là, je lui aurois rompu les bras et coupé les oreilles."—P. 174.

THE GARSTANGS OF GARSTANG GRANGE.*

WHEN we have read a new novel, we are very frequently driven to exclaim, how could any reasonable creature ever write and publish such nonsense? But there are a good many novels—and the *Garstangs* is one of them—which rather lead to equal wonder that a writer who has done so well should not have done just a little better. A very little more polish was all that was wanted to secure our unhesitating approval; and yet for want of that apparently trifling labour the book sinks at once through that vast space which separates the satisfactory from the unsatisfactory class of performances. Novelists may be compared to riflemen, whose hits do not score at all unless they are on the target. Between the man who makes a bull's-eye and the one who makes an outer there is a vast difference; but there is a still greater between the man who scores at all and the man who misses, though it may be only by the tenth part of an inch. Mr. Trollope appears to have come within that inch of making a distinct success, though not a success of the highest kind. Why it is that he has just failed to make it is what we will endeavour to explain.

To begin in very prosaic fashion, there is an anachronism in the story, which might have easily been avoided. One important event is a marriage, which was long kept secret; but which was not, as Mr. Trollope explains, one of the notorious Fleet marriages. His language, however, implies that it took place before the old system was abolished—that is, before the year 1753. Now the jovial parson who celebrates the marriage, and whom Mr. Trollope describes happily enough in a couple of pages which are, strictly speaking, superfluous, died, as we are told, less than eighteen years afterwards. He was therefore dead just one hundred years ago. Mr. Trollope, however, informs us that he knew and loved him. Hence it follows arithmetically that, in spite of Sir Cornewall Lewis and of the internal evidence of Mr. Trollope's own style, he must be at least 120 years old. This might be evaded by cutting out the passage relative to the Fleet marriages. But even on this hypothesis other facts are given showing conclusively that another marriage, which took place after the parson's death, happened a good half-century ago, so that we cannot conscientiously put Mr. Trollope's age at less than eighty. Now we entirely decline to believe that that is a correct estimate, and we hope that before he arrives at that time of life he will have made large additions to the already voluminous family literature.

To find fault with a novel because its dates are wrong is, we fully admit, a hypercritical proceeding, though a certain attention to such minutiae is not without its value, and contributes amongst other things to our contentment in reading Mr. Anthony Trollope's books. We would at any rate gladly pardon the offence if it went no deeper. This, however, cannot be so easily granted. We imagine from various indications that the time in which Mr. Trollope really intended to place his story was the beginning of the present century. The county, though called by a fictitious name, is obviously intended for Devonshire. Amongst the chief actors are a family of substantial yeomen in an ancient farmhouse upon the North Devon coast, and all the main events of the story are transacted in the retired parish within which the said farmhouse is included. This being so, it would be desirable that the people should talk more or less of the Devonshire dialect. Nobody can read a fragment of *Westward Ho!* without perceiving that Mr. Kingsley is describing Devonshire men from the life. Every page of *Jane Eyre* or *Shirley* seems to smell of the Yorkshire moors. In *Adam Bede* and the *Mill on the Floss* we have the genuine farmers and labourers of the Midland districts. In any of these cases, though the merit varies very widely, we catch at least the distinct provincial flavour of the scenes of the story. And although the device has been rather overworked lately, and seems to be often considered as a cheap substitute for humour and imagination, it still remains desirable to give some apology for local colouring to a story of country life. Now when Mr. Trollope's characters condescend to talk conversational English at all, they become simply ungrammatical after the style of the contemporary cockney. Here, for example, is a sentence taken at random, which would be as appropriate to the Seven Dials in 1870 as to a North Devon hamlet in the old war:—"As sure as you and I stand here in this churchyard, them words as you spoke just now will hang your brother George, if so be as they be known." But if this is rather a feeble attempt at talking Devonian, we are still more taken aback by the habitual style of the yeoman of the period. The

* *The Garstangs of Garstang Grange.* By T. Adolphus Trollope. 3 vols. London: Smith, Elder, & Co. 1870.

rough farmer, who has never moved from his paternal acres, talks in the style, not of Seven Dials, but of Belgravia, or occasionally, for he is given to tall talk, in that of a hero of British melodrama. As a short specimen we will quote a fragment of a letter written by him to a lady who takes care of his niece:—"If I accept with gratitude your offer to be yourself the medium for the communication of them [i.e. certain important facts], it is not that I seek to spare myself the pain of having to tell them to her, but that I have no doubt whatever that you will do it with a gentler hand and more judicious caution." Mr. Garstang of Garstang Grange could not have expressed himself more neatly if he had had a Complete Letter-writer lying in his window. We have often been amused by watching an Alpine peasant on the stage, with a wonderful display of white linen and a tight pair of dress boots. But we will venture to say that he is not more unlike the genuine Franz or Peter of the Oberland or the Valais than Mr. Trollope's smooth-spoken gentleman to any genuine West-country farmer whose grange looked out over the Bristol Channel two generations back.

Although this absence of accuracy in the costume and dialect of his characters puts Mr. Trollope at a disadvantage as compared with more forcible painters from the life, we by no means assert that it is a fatal objection to his novel. Perhaps too much stress has lately been laid upon some of these points of external accuracy. A demand that Shakespeare's plays should be got up in accordance with antiquarian researches seems to grow just in proportion as a genuine taste for the performance of Shakespeare declines. If Mr. Trollope describes real human beings, we may forgive him for compelling them, as it were, to appear in masquerade dresses, and to give themselves out for Devonshire farmers of the past, when in real earnest they are nothing but contemporary cockneys. The story may lose in effect, but it is not necessarily worthless. And we are happy to admit that in fact Mr. Trollope shows a good deal of talent in dealing with the ordinary country personages. There is a good lawyer, a good doctor, a good peer, and a very passable young lady; they amuse us after their fashion, though we should have preferred it if they had frankly confessed that they lived in our own time. Moreover, the story is interesting—if we are justified in assuming that anybody can still take an interest in any story—and, up to a certain point, is well told. But here we must advance one more criticism, still resting on the same principle. We have hitherto complained of Mr. Trollope for not preserving the tone appropriate to the place and time; we must now add that the two ends of the story are not at harmony with themselves. We are introduced to a family which would have suited the taste of Miss Brontë or her sisters. The Garstangs have been in possession of their land since the time of Julius Cæsar, or thereabouts. They are the proprietors, amongst other things, of a family curse, which is judiciously carved in large letters over the hearth:—

When Garstang shall with Garstang mate
The curse shall fall, however late.

This being so, a Garstang of course marries a Garstang with the benevolent intention of providing a plot for Mr. Trollope. Besides an hereditary curse they have an hereditary character, which, as our readers will not be surprised to learn, consists chiefly in a touch of madness. The eldest Garstang, at the time of the story, is mad in a drivelling fashion; the chief symptom of his disease is that he walks in his sleep and steadily polishes the above pleasant inscription. Mrs. Garstang, his wife and cousin, shows her madness simply by a little irritability and general imbecility. Garstang, the eldest son, indulges in a gloomy style of madness, which finally takes the form of a superhuman desire of vengeance. Miss Garstang, his sister, is in a permanent state of religious madness. The younger son, who is the only other member of this remarkably agreeable family, only shows his madness by occasional wild gleams of the eye, being at other times of a highly sociable temperament. However, his amiable character leads him at the opening of the story to knock out the brains of a sailor in a press-gang; and for this performance, which is on the whole creditable to him, he is tried and hanged, chiefly on the evidence of his mad sister, who acts the part of a Jeanie Deans with great vigour. And here we must parenthetically express our gratitude to Mr. Trollope, who, having been drawn into a trial for murder, not only omits to describe the speech of the counsel, and refrains from bringing in a decisive witness at the last moment according to universal precedent, but actually hangs his hero unflinchingly in the middle of the second volume. Nothing could be better meant, but unluckily this catastrophe nearly ends the interest of the story. It struggles on for another volume and a half; but it changes its character, and becomes a commonplace story of a young man falling in love with a young lady who turns out to be a great heiress. It is true that something is made of the vindictive spirit of the mad brother; but not only does he retire too much into the background, but, as we are truly sorry to add, Mr. Trollope insists upon saving his soul at the end of the book. The gloomy mania turns suddenly into a respectable middle-aged farmer, who is occasionally dull and dyspeptic, as farmers are apt to be, but in no sense mad. We thus find that the story is really made of two parts, which fit very awkwardly. Each is good in its way, though not as good as it might be, but the whole thus formed is incongruous. It is like joining the beginning of *Wuthering Heights* on to the end of *Barchester Towers*, and we need not say that those two books—each separately impressive—are in rather different keys. We don't like a funeral march to end in a

strain of ball music, and are disappointed when a character enters as an avenging angel and goes out as a domestic British yeoman. In short, the story is wanting in harmony and unity of conception; and though it has many excellent points taken separately, they are not worked in with that care and attention to artistic effect which is necessary to produce a really satisfactory novel.

THE GRETIR SAGA.*

THE suspicion that the admiration expressed for the Saga literature of Northern Europe may with some be much like the worship paid to the great image on the plain of Dura is not altogether unwarranted. It is at least possible that people who speak of this literature as if it were all of one kind, and describe it as beautiful, interesting, and delightful, may either know very little about it or may choose to follow a fashion which threatens to be prevalent. Not a few probably of those who may have gone through the histories or sagas of *Burnt Nial* or *Viga Glum* have thought some portions at least of the task wearisome or unprofitable; many more perhaps would be at a loss to say why they liked them, or in what lay their special value. The story of *Grettir* is more interesting, if not more attractive, than any of the sagas recently published in an English dress; but it is as well to confess honestly that many of its chapters are a weariness to the flesh and to the spirit. Certainly the poets of the *Iliad* and *Odyssey* are more merciful than the sagaman who expects us at starting to wade through pages of useful information conveyed in the following form:—

There was a man, Ufeigh by name, who was bynamed Grettir; he was the son of Einar, the son of Olvir Bairn-Carle; he was brother to Oleif the Broad, the father of Thormod Shaft; Steinulf was the name of Olvir Bairn-Carle's son, he was the father of Una whom Thorbiorn Salmon-Carle had to wife. Another son of Olvir Bairn-Carle was Steinmod, the father of Konal, who was the father of Aldis of Barra. The son of Konal was Steinmod, the father of Haldora, the wife of Eilif, the son of Ketil the one-handed, &c.

The thirteen chapters which are made up chiefly of materials of this kind the translators "have considered as an introduction to the story, and have accordingly distinguished them from the main body of the book"; and with this main portion we purpose now to deal. Assuredly no one can read it without feeling some interest in the narrative; but it is not the less true that if we look for beauty of form or splendour of words we must betake ourselves elsewhere. The translators' work has been admirably done; the English may fairly be called faultless, and it is no slight satisfaction to read a book in which everything is expressed in the fittest phrase, and in which we feel no temptation to make any verbal changes. But when we have said this, and when we have taken fully into account all the instances of honest or generous action which light up the narrative, we are still bound to confess that there are large portions of the story which are not lit up at all; that the pictures of manners described in it, taken generally, exhibit a state of society unspeakably ferocious and repulsive; and that for those who look upon the book as a page in the history of a Christian people there is the further drawback that it brings before us a social condition on which Christianity has had no effect whatever.

Nothing less than this can be said if we are to look upon the story as the picture of a society which is to be considered as human in any sense. Grettir in his youth, being set by his father to watch his horses, gets on the back of one named Keingala, and draws a sharp knife across his shoulders and then all along both sides of the back, thus flaying off the whole strip from the flank to the loins. When Asmund next stroked the horse, the hide came off in his hands, somewhat to his wonderment, the animal seeming to be not much the worse for the loss. The smallest dispute leads to bloodshed. Grettir, having lost a meal bag, finds Skeggi in the same predicament, and says that they will both search together. Skeggi comes across Grettir's bag, and tries to hide it. When Grettir complains, Skeggi throws his axe at him, and is slain in requital. Six men do not hesitate to fall on one (p. 94). Thorgeir, walking away from his boat with a leathern bottle full of drink on his back, is assaulted in the dark from behind by Thorgeir, who thinks that he has slain him when he has only cut the bottle. He is jeered at next day for his blunder, but the infamous treachery of the act is no more regarded than the same base action is blamed when related by Odysseus of himself. Thorgeir Bottle-Jack is slain soon afterwards in a bloody fight over the carcass of a whale, in which half the population of the village seems to be slaughtered. Thorbiorn Oxmain thinks it a goodly exploit to knock at a man's door and then to thrust him through with a spear when he comes to open it. The same honourable champion, wishing to slay Grettir, who is alone, discourses thus to his comrade:—

I will go against him in front, and take thou heed how matters go betwixt us, for I will trust myself against any man if I have one alone to meet; but do thou go behind him, and drive the axe at him with both hands a-twixt his shoulders; thou needst not fear that he will do thee hurt, as his back will be turned to thee.

When, at a later time, Grettir had slain Thorir Redbeard, Thorir of Garth assails the solitary outlaw with eighty men. Grettir slays eighteen and wounds many more, and the rest take to flight.

This last incident brings us to the main question, which impe-

* *The Story of Grettir the Strong*. Translated from the Icelandic by Eiríkr Magnússon, Translator of "Legends of Iceland," and William Morris, Author of "The Earthly Paradise." London: F. S. Ellis. 1869.

ratively demands an answer, and which we mean to answer honestly and without equivocation. If this is really the picture of Icelandic society in the days of the sainted Olaf, it is the picture of a state of savagery rendered still more hideous by subtle pleadings and elaborate judgments in Things on points not a whit more important than the matter of Mackitchinson's backyard, which, as the owner assured the Antiquary, "had been twice before the Fifteen." The incident is an absolute impossibility, and if, as such, it is to be regarded as lying outside of the pale of human history, we are at once driven to ask wherein lies the real value, if not the interest, of the narrative for it is scarcely an exaggeration to say that such incidents form the staple of the story. Had the translators confined themselves to the mere task of translation, and published the saga without comment, we should not have said that they were bound to deal with or to answer this question; but they profess to break the ground in the preface, and we can but say that it is broken to very little purpose. It is obvious that in such a narrative every judgment must be more or less mistaken or wrong, unless we have fairly determined from what point of view we are to look at it. The translators tell us that throughout the story

The Sagaman never relaxes his grasp of Grettir's character, that he is the same man from beginning to end; thrust this way and that by circumstances, but little altered by them; unlucky in all things, yet made strong to bear all ill-luck; scornful of the world, yet capable of enjoyment, and determined to make the most of it; not deceived by men's specious ways, but disdaining to cry out because he must needs bear with them; scornful men, yet helping them when called on, and desirous of fame; prudent in theory, and wise in foreseeing the inevitable sequence of events, but reckless even beyond the recklessness of that time and people, and finally capable of inspiring in others strong affection and devotion to him in spite of his rugged self-sufficing temper.

It is one thing if this is to be regarded as the portrait of a man who really lived and died on this earth, and it is another thing if we are to look upon it as the picture of some imaginary being not more substantial than the trolls whom he is said to have fought with and to have conquered. The translators raise a vital issue when they say that

To us moderns the real interest in these records of a past state of life lies principally in seeing events true in the main treated vividly and dramatically by people who completely understood the manners, life, and above all the turn of mind of the actors in them.

If we have any honest anxiety really to ascertain facts, and if we are prepared to give credit to a narrative only when the facts have been so ascertained, then everything is involved in the question whether the events here related are true in the main or not. Now the genealogies given in the earlier part of the book (which the translators treat as an introduction) agree, we are told, "with those of the Landnámabók and of the other most reliable sagas." Of this word "reliable" we will only say that, had it occurred in the translation, we must have modified the opinion which we have expressed of its merits; the fact here stated we have no wish to dispute. Such names tell as much and as little as the names in the genealogy of the tale-teller Hekataios. A catalogue of names belonging to real persons cannot impart authority to a narrative of fictitious events, if they are fictitious; and when we have put aside these genealogies and the names of one or two kings, as of Olaf, Hacon, and Harold Fair-hair, we have numbered all the historical elements in the book; nor need we say that some safeguard is wanted when we remember that the Carolingian romances take the great Karl to Jerusalem.

If then we have before us a story some of the incidents of which are manifestly impossible or absurd, or clearly exclude each other, we are scarcely justified on the mere authority of the narrative in accepting other portions which involve no such difficulties. We have the alternative of rejecting the whole story without troubling ourselves to examine it further, or we may take it to pieces, reducing it, if we can, to its constituent elements, and then seeing whether these elements are to be found in any other narratives. If this should be the case, the character of the narratives in which these common elements are seen will go far towards determining the credibility of the story. Clearly the latter way is the more philosophical and the more intelligible, and it is the course which, we do not hesitate to say, the translators ought to have followed if they touched on the character of the saga at all. That they had the clue in their own hands is clear from the sentence in which, speaking of the events which follow Grettir's death, they tell us that "the sagaman here has taken an incident with little or no change from the romance of Tristram and Iseult. If, as they seem to think, the chapters in which this incident is related were added to the tale, and if this part of the story is substantially the same as that of a romance which is known to be mythical; if, further, as they say, the whole saga "has no doubt gone through the stages which mark the growth of the sagas in general—that is it was for long handed about from mouth to mouth until it took a definite shape in men's minds"—a presumption, to say the least, is furnished that other incidents in the saga may be found to be of a like nature. In short, we are bound to examine and analyse the story; nor is it too much to say that their summing up of Grettir's character, already quoted, justifies our entering on this task with special wariness. If it is the portrait of a man at all, it is the portrait of one of whom the like has perhaps never been seen among men. Of the incidents which, although impossible, are not found elsewhere, we need take no notice; nor do we say that each feature which it has in common with other stories warrants us in rejecting the whole as unhistorical. But we have to take all the points of likeness together, and then determine

whether the narrative, as a whole, deserves more credit than that episode of Thorstein Dromond and Spes which the translators find in the romance of Tristram.

If we take the sentences which tell us of Grettir's childhood; how he had scant love from his father, who set him to watch his home-geese; how he was fair to look on, red-haired and much freckled; how he would do no work, or spoil what he did; how, when placed on board a boat, "he would move for nought, neither for baling nor to do aught for the sail, nor to work at what he was bound to work at in the ship on even shares with the other men, neither would he buy himself off from the work"; how, when he does some great thing, the remark is "we wotted not that thou wert a man of such prowess as we have now proved thee"; how he goes disguised to the wrestling-match, and when Thorbiorn Angle pushes and tugs hard at him "moves not a whit but sits quiet, yet wins the victory," we have before us the Goose-girl and the Boots of Teutonic story, the Boots who sits among the ashes in the "irony of greatness," biding his time, the disguised Odysseus patiently enduring the gibes of the suitors and the beggar Anraios. When the saga tells us that, on coming back from a Thing, "Grettir lifted a stone which now lies there in the grass and is called Grettir's heave," and how "many men came up to see the stone, and found it a great wonder that so young a man should heave aloft such a huge rock," it relates a well-known legend in the myths of Theseus and of Sigurd in the Volsung tale. When Grettir is driven from his home without arms, and his mother draws forth from her cloak a fair sword which has gained many a day, we see before us Thetis and Hjordis bestowing on their children the magic weapon which reappears in the hands of Arthur and of Roland. In the horrible smiting of the Bearserks, who are shut up in a barn, we have the awful Hall of Slaughter in the Odyssey and the Nibelung Lay. In the marvellous story of the demon who is vainly assailed, first by Glam (who becomes a demon himself), then by Thorgaut, but is finally slain by Grettir, we see the common type of the popular story in which the youngest son, or Boots, wins the day, when his two brothers or comrades fail. In the beaks of the ship, which is so full of weather wisdom that the one whistles before a south wind and the other before a north wind, we have a reminiscence of the divine Argo; in the errand on which, when his companions have no fire, Grettir is sent to bring fire from a distant cliff, although "his mind bids him hope to get nought of good thereby," we see the myth of Prometheus and his recompense. The conflict of Grettir and Snakeoll is related in words so nearly resembling those of the narrative of David and Goliath that it is hard to resist the conclusion that here we have an instance of mere copying, or that we have a travesty of the story of Samson, as we read that "on a day, as Grettir lay sleeping, the bonders came upon him, and when they saw him they took counsel how they should take him at the least cost of life, and settled so that ten men should leap on him while some laid bonds on his feet; and this they did, and threw themselves on him, but Grettir broke forth so mightily that they fell from off him." In his enormous strength, in his fitful action which is as often mischievous as it is beneficent, in the lot which makes him the servant of beings weaker than himself, which stirs up enemies in men whom he has never injured, in the doom which he foresees and which he has not the power, and indeed takes no pains, to avert, he is the very counterpart of Herakles and Achilles. When he slays Glam, who had long been dead, the demon tells him "Hitherto hast thou earned fame by thy deeds, but henceforth will wrongs and manslayings fall upon thee, and the most part of thy doings will turn to thy woe and ill-hap; an outlaw shalt thou be made, and ever shall it be thy lot to dwell alone abroad." Henceforth he is "the traveller," who can know no rest, who seeks shelter of many great men, "but something ever came to pass whereby none of them would harbour him." This, however, is the doom of Indra and Savitar in many Vedic hymns, of Wuotan Wegtam in Teutonic mythology, of Sigurd, Perseus, Bellerophon, Oidipous, Odysseus, Phoibos, and Dionysos; and there is scarcely an incident in the life of Grettir which is not found in the legends of one or more of the mythical beings just named. The overthrow of the eighty assassins led on by Thorir of Garth is the defeat of the Lykian ambuscade by Bellerophon. After this the wounded hero goes to a cave under Balljökul, where the daughter of Hallmud heals his wound and treats him well. "Grettir dwelt long there that summer," like Odysseus in the cave of Kalypso, or Tannhäuser in the Venusberg, or True Thomas in the coverts of Ercildoune; but we look to find him chafing, as these did, at the enforced rest. We turn over the page, and we read "Now, as the summer wore, Grettir yearned for the peopled country, to see his friends and kin." It is Odysseus longing to see Penelope once more. But he is under a doom. As Olaf says, "If ever a man has been cursed, of all men must thou have been." It is the curse which is laid on Ixion and Sisypheos, and singularly enough his father Asmund says of his son, "Methinks over much on a whirling wheel his life turns." Hence also he dreads the darkness, like a child, for Herakles, Helios, Achilles can do nothing when the sun has gone down. Hence too the old mother of Thorbiorn lays on him the fate "that thou be left of all health, wealth, and good hope, all good heed and wisdom"—the very fate of which Achilles complains again and again to Thetis in the very bitterness of his heart. If, again, Grettir has his brother Illugi in whom he has garnered up his soul, this is the story of Achilles and Patroklos, of Peirithoos and

Theseus, of Herakles and Iphitos, of the Dioskouroi and a host of others. Nineteen years he is an outlaw; "then said the lawman that no one should be longer in outlawry than twenty winters in all," and so Grettir was set free, as Odysseus returned home in the twentieth year. The incident which leads to the death of Grettir is simply the myth of Philoktetes and of Rustem. The cutting off of Grettir's hand is an incident in the myth of Indra Savitar, and of Walthar of Aquitaine. When again it is said of him that he is "right well ribbed about the chest, but few might think he would be so small of growth below," we cannot avoid a comparison with the story of Shortshanks in Grimm's collection, or of Odysseus, who when sitting is far more majestic than Menelaos, who when standing towers above him by head and shoulders.

In short, the saga, as a whole, ceases practically to have any distinctive features, and even in the sequel which relates the story of Thorstein Dromond and Spes the incident which the translators compare with the romance of Tristram is not the only point of likeness with other legends. The closing scenes in the lives of the two lovers precisely reproduce those of Lancelot and Guinevere. Of the avenging of Grettir by Thorstein, we need only say that the same issue belongs to the stories of Sigurd and the three Helgis, and that all these have their type in the avenging of Baldur.

This analysis might be carried much further, but it is obvious that until the work of dissection and comparison has been thoroughly done we cannot be justified in forming a definite judgment of a saga in which from contemporary history we can claim an historical character only for a few names, and in which a vast number of incidents are absolutely impossible, while the same impossibilities are found recorded in other popular traditions. We have said enough, perhaps, to show that the Grettir Saga is full of interest, although it may not have precisely that kind of interest which the translators claim for it.

HARRIS'S THEORY OF THE ARTS.*

THIS treatise, or rather sermon, on art reminds us of Dr. Blair's sermons on religion. The morality is above suspicion, the taste the very pink of propriety, the diction polished as a prize essay in the days of Addison. But somehow the soul—the constant subject of the author's super-sensuous appeal—grows weary, and the intellect, not able to escape under pretext of positive dissent, sinks into drowsiness, oppressed by the mellifluous utterance of magniloquent humdrum. And yet this *Theory of the Arts* is far too respectable to be made the subject of ridicule; the reader who shall survive to the close of the second volume will have lived to struggle from the beginning to the end of a vast concretion of thought and speculation of which it may be said that, if little is new, nothing is pernicious. But we regret to say that we cannot give assent to the high claims put forth by the author in his preface; the reader is told that among other achievements "a new and, it is confidently maintained, a correct classification of all the arts has been effected." Furthermore he is informed that "a clear and exact definition of each of the arts has here been attempted, and an effort has been made accurately and systematically to determine their appropriate province, limits, aim, adaptation, and end; as also to trace the origin and growth of each art, from its first germ in the mind, until through various stages it attains at length its full and complete development, and exhibits all the endowments and powers it is capable of exerting." By this modest programme the reader is forewarned of what he may expect, yet we are bound to admit that the work in its fulfilment is not so bad as it seems. Several of the chapters we have read with profit, and hostile criticism is appeased by a footnote which states that portions of the "work appeared some years ago in articles upon subjects connected with art, contributed by the author to the *British and Foreign Review*, the *Critic*, the *Monthly Magazine*, *Arnold's Magazine*, *Arnold's Library of the Fine Arts*, and certain other periodical publications. Other portions of it formed parts of lectures delivered by him upon art."

This *Theory of the Arts*, though not absolutely new, may be accepted as a timely arrival in English literature. *Æsthetics*, if they can be said to exist at all among us, have rested on a precarious basis. Alison's superficial essay on Taste, and Jeffrey's notorious review written to prove that Beauty had no deeper spring than in the association of ideas, seemed for long to supply all the thought and speculation required by even the more reflecting portion of the reading public. Among philosophers, even truly so called, Coleridge stood almost alone with a scheme more profound. His writings we all know are to a fault fragmentary, and the skeleton thoughts he may have thrown out on the theory of the arts are never consolidated into a system. But one fundamental idea, on which indeed the scheme of the book before us might rest, this transcendental philosopher expressed with less than his usual haziness, as follows:—"The Beautiful arises from the perceived harmony of an object, whether of sight or sound, with the inborn and constitutive rules of the judgment and imagination; and it is always intuitive. As light to the eye, even such is beauty to the mind, which cannot but have com-

placency in whatever is perceived as pre-configured to its living faculties. Hence the Greeks called a beautiful object καλόν, quasi καλόν, i.e. calling on the soul, which receives instantly and welcomes it as something connatural." Coleridge, in common with the author before us, teaches that the fine arts, resting on deep foundations in human nature, rise above the caprice of fashion, or the accident of chance. "Association," the principle relied on by the opposite school, is, says Coleridge, "in philosophy like the term stimulus in medicine; explaining everything, it explains nothing; and, above all, leaves itself unexplained." Whether there is an express faculty for the perception of beauty, a faculty which takes cognizance and aids in the creation of the arts, it is even more difficult to determine than whether there exists a distinct and uncompounded faculty answering to conscience or the moral sense. We incline to think, however, that the perception of beauty, like the cognizance of what is true and what is good, depends not so much on the function of any one separate faculty as upon the happy balance maintained among cognate powers of the mind. The mind is a confederated force which, when healthful, acts with united will. It would seem, at all events, that the art faculty needs to be backed up by the general intellect. Great artists are usually men of strong minds and large brains, and have proverbially shared the universality of genius. This fact in the history of art sustains another theory maintained by Coleridge, and apparently assumed by Mr. Harris, "that all the fine arts are different species of poetry. The same spirit speaks to the mind through different senses by manifestations of itself appropriate to each." The senses here designated are but as the windows of the mind through which impressions from the outer world enter; within reside responsive powers or intuitions. We are glad to observe that Mr. Harris does not confound the distinction between intuitive ideas and intuitive powers; his theory demands the existence of the latter, not of the former. His teaching as a whole inclines to the super-sensuous and the transcendental, but his claim to originality might easily be disproved by a multitude of quotations from prior writers.

Taste is another moot question which falls under the author's pen. On few topics has so much been written, and that with so little purpose. The definitions employed sometimes amount to nothing more than the truism that taste is taste, or that good taste is the reverse of bad taste. Some progress, however, is made in the inquiry as soon as the existence of the intuitions needed by our author's theory are conceded. That certain intuitive powers reside within the mind, answering to the functions of taste, there would seem little reason to doubt. Again we may with advantage turn to Coleridge, who has been strangely overlooked by Mr. Harris. This poet-philosopher was careful to point out the obvious distinctions between divers kinds of taste. The term has had the misfortune of possessing many meanings, so that in ordinary talk a taste for Milton is confounded with a taste for mutton, and a taste for Virgil with a taste for venison. The following definition of this express art-perception, if not precise, has about it a grand suggestiveness. "Taste," says Coleridge, "is the intermediate faculty which connects the active with the passive powers of our nature, the intellect with the senses; and its appointed function is to elevate the images of the latter, while it realizes the ideas of the former. We must therefore have learned what is peculiar to each before we can understand that 'third something' which is formed by a harmony of both." Mr. Harris also ascribes the origin of the arts to the passive and active powers of the mind; the former receive the elementary impressions, the latter make new combinations. Wordsworth seems to have had yet a different meaning when he said that poetry arises out of excitement remembered in tranquillity. To the above definition by Coleridge may with advantage be conjoined the more practical enunciation of Mr. Harris:—"The grand principle of taste is the apt and suitable combination together into one composition of different ideas or objects." And again:—"Taste is consequently that capacity by which the mind is enabled, with the utmost nicety, to combine together those ideas which most suitably harmonize one with another, and to select those only so to combine which are best fitted to be thus united." Writers are usually agreed that beauty subsists in unity in variety; and taste, in like manner, in congruity. The faculty of wit, on the other hand, plays with dissonance; comedy, satire, the grotesque in art, and even the element of the picturesque, as distinguished from the beautiful, involve a certain discord and incongruity. A remark let fall by Mr. Harris as to the service of "a sensation the reverse of gratification" shows that this complex section of his subject has been carefully thought out.

A correct "theory of the arts" implies, as we have seen, first, a theory of the human mind; and secondly, a theory of nature; and thus nature plus mind makes the joint product we term art. "Nature in the common sense," says Mr. Emerson, "refers to essences unchanged by man; the air, the river, the leaf. Art is applied to the mixture of his will with the same things, as in a house, a canal, a statue, a picture." Concerning the relations between the three entities of nature, mind, and art, there has been a vast deal of speculation of which Mr. Harris appears most blissfully unconscious, so all-sufficient and all-satisfying are for him his own conjectures. Thus we have Coleridge's text for an ideal philosophy of nature as follows:—"In our life alone does nature live." Then there is Shelley's thought, "Nature's vast frame—the web of human things, birth and the grave." Also we recall an essay by Oersted on "the Comprehension of Nature by Thought and Imagination." Again may be found in German

* *The Theory of the Arts; or, Art in Relation to Nature, Civilization, and Man. Comprising an Investigation, Analytical and Critical, into the Origin, Rise, Province, Principles, and Application of each of the Arts.* By George Harris, F.S.A., of the Middle Temple, Barrister-at-Law, Author of "Civilization considered as a Science." 2 vols. London: Trübner & Co. 1869.

literature plenty of cobweb tissue touching the macrocosm, or the great world of nature, and the microcosm, or the little world of man. According to some the "macrocosm" contains the whole of the *non ego*, and therefore comprises works of art as well as of nature. Thus we read of "the mighty and multiform universality of the earth itself—that focus of all phenomena, which at the same time contains within itself sea, mountain, storm, earthquake, tiger, lion, lamb, Homer, Phidias, Raffaele, Newton, Mozart, and Apelles." Some may opine that in this passage a principle has been strained until it cracks. Such speculations, however, though often far from the mark, serve to exercise the intellect, and the distinction is always to be drawn between practical truths which may be needed by the painter in his daily work and a line of thought salutary to the critical mind and essential to any adequate "theory of the arts." Among the accumulated mass of æsthetic thoughts we find the doctrine which may be expressed as the each in all and the all in each. Faust, when he sees the sign of the macrocosm, says, "How all weaves itself into the whole," "all ringing harmoniously through the all." And the same idea is amplified by a German transcendentalist in the following passage:—"When therefore I open the great book of heaven, and see before me this measureless palace, which alone and everywhere the Godhead only has power to fill, I conclude, as undistractedly as I can, from the whole to the particular, from the particular to the whole." This is analogous to a line by Mrs. Barrett Browning to the effect that "the circle of God's life contains all life besides." Disquisitions thus discursive are certainly, as we have said, distant from the daily necessities of the practical artist; indeed almost the only painter in our day who indulges in this super-sensuous line of thought is Mr. Cave Thomas. And yet even such superlative speculation has an obvious bearing upon "the theory of the arts." Among the signs of genius few are so indubitable as the power of comprising the all in the each, the power of encompassing the smallest detail with large generality, the capacity of endowing the individual with attributes which pertain to the species, of ranging an accident under the phenomena of law, of giving even to a portrait marked by blemishes the generic types which link the individual with humanity. Great works such as the Elgin Marbles prove how much grandeur in art depends upon this large generic treatment; and in like manner master artists such as Michael Angelo and Leonardo da Vinci show that all-comprehending intellect, that universality of genius, which holds command over every art, brings to each touch large intention, and proves itself equally great whether in the modelling of a Moses or the penning of a sonnet, the painting of an Apostle or the drawing of a feather in a bird's wing. Mr. Harris, who gains distant glimpses of truths enunciated by his predecessors, finds our English school wanting when measured by these standards. "Hitherto," he says, "no painter in the highest walk in art, one who has been capable of adequately representing any of those stupendous transactions which formed the subjects of the principal productions of Raffaele's pencil, and which Michael Angelo depicted with such power and effect, and of describing them as they described them, has arisen in the English school." This well-meant but clumsy sentence indicates the quality of the treatise we have passed under review. The *Theory of the Arts*, as already suggested, is of about the same profundity as Blair's *Lectures on the Belles-Lettres* and Lord Kames's *Elements of Criticism*.

BAKER'S HISTORY OF ST. JOHN'S, CAMBRIDGE.*

IT is somewhat remarkable that we have in English no phrase, at once conveniently short and generally intelligible, to express what the French mean by *esprit de corps*. Of the thing signified we have many more examples in England than can be found in France. A French soldier is probably as much attached to his regiment as an English soldier; a French priest is doubtless even more devoted to his Church than an English clergyman. But in France the corporations which are both lay and civil have either been swept away altogether, or else so recently and so thoroughly remodelled, that in each case the *corps* has scarcely yet had time to become infused with its proper *esprit*. In England, a "Fishmonger" or a "Merchant-tailor" cannot rise to speak after dinner of the Company to which it is his pride to belong, without tears in his eyes and a choking sensation in his throat. The tradesmen of Paris are united by no such tender bonds. The University of Paris has lost all its ancient characteristics. It is represented, now by a Professor, now by a Board of Examiners, but in the mind of the most sentimental "Bachelier ès lettres" it is never personified or regarded with filial affection as his "Alma Mater." In England, on the contrary, the corporate spirit which distinguishes the members of our old Universities is not confined to undergraduates or resident "Dons," but continues to prevail long after they have ceased to wear the gown. Who has not seen a dinner-party of elderly country clergymen or squires divided into two hostile camps by a discussion on the relative glory and antiquity of Oxford and Cambridge? (We beg pardon of half our readers for not saying "Cambridge and Oxford.") They wear, however, their "forget-me-not" with a

difference. The affections of the old Oxonian for the most part centre in his University; those of the Cambridge man in his College. The Oxonian calls Oxford "she"; the Cantab calls Cambridge "it."

The members of St. John's College, Cambridge, have always been remarkable for the strength of their attachment to their ancient house. Combined with a generous spirit of self-sacrifice, this feeling has produced notable results—a spacious New Court, and a chapel unequalled among modern ecclesiastical buildings for costly splendour. Combined with literary zeal and unwearied diligence in research, it has produced Baker's History, now edited for the first time, with copious notes and voluminous additions, by Mr. Mayor, who has all the great qualities of his author—industry, candour, and love of truth. Nor does he yield to him in affection for his college home, which, in such combination, is a great quality too. The six years' labour devoted to this book would to most persons have been unspeakably wearisome. To Mr. Mayor it has evidently been, as Baker's was, a labour of love. This spirit in the authors lights up what might otherwise be dull, and bids the dry bones live. What is written *con amore* is read *con amore*.

The Life of Thomas Baker was written by his friend Dr. Zachary Grey, and published after Grey's death, with a preface, by R. Masters. The editor complained that the notices of Baker in the *Biographia Britannica* and in Nichols's *Anecdotes* were purloined from Dr. Grey. Horace Walpole also wrote a brief account of his life with the jauntily indifference to facts and dates characteristic of that noble author. We learn from Grey that Thomas Baker was born at Crook, near Lanchester, in the bishopric of Durham, in 1656. He was a Royalist by inheritance, his grandfather, George Baker, Recorder of Newcastle, having been knighted by King Charles for his services in the defence of that town in 1639 and 1643. He was educated at the Free School, Durham, and at St. John's, of which College he was elected Fellow in 1679. Having taken orders, Lord Crewe, Bishop of Durham, made him his chaplain, and gave him the rectory of Long Newton in 1687. His lordship also destined him for the richer rectory of Sedgfield, and for the so-called "golden Prebend" in the Cathedral. But when James's Declaration for Liberty of Conscience appeared, Baker, notwithstanding the Bishop's entreaties, refused to read it, and in consequence resigned his chaplaincy and his living, and returned to St. John's. His patron, the Bishop, with a happy elasticity of conscience, took the oaths of allegiance to William and Mary in 1689, as he had accepted King James's Declaration in 1688, and so retained his see. Baker refused both. He was not, however, ejected from his Fellowship till after the accession of George I. Early in 1716 Baker, together with many other studious and pious men, was deprived in pursuance of an Act of Parliament—one of the most flagrant examples of the evil wrought by the system of tests, especially when used for party and political objects. Baker was allowed to retain his rooms as a guest of the College, content with his books and a modest annuity, inherited from his father, of 40*l*. His singular sweetness of temper was not embittered by persecution. His assistance in antiquarian and historical research was as heartily at the service of a Hanoverian as of a Non-juror. Bishop Burnet, Hearne, S. Knight, Browne Willis, Conyers Middleton, W. Richardson, author of the book *De Præsulibus Angliæ*, Tanner, Ames, Strype, and many others, were greatly indebted to his ever ready help. He was amply rewarded by the pleasure of discovery, and appeared indifferent to present or posthumous fame. He left behind him a vast accumulation of MSS. and annotated books. The MSS. were partly left to the Cambridge University Library and partly to his friend Harley, Earl of Oxford, who lived at Wimpole, near Cambridge, from whose executors they were purchased for the British Museum, and are a mine of still unexploited wealth. Those in the Museum fill twenty-three folio volumes. One of them, the twelfth, contains the History of St. John's, which Mr. Mayor has collated with a transcript (made by Antonio Ferrari, a Neapolitan convert to Protestantism, who resided at Cambridge during the earlier part of the last century), which, by permission of the College, he has used as copy for the printer. He has added the notes and continuations of William Cole of Milton, who died, we believe, in 1783, a man of great industry, but far inferior to Baker in judgment, style, and method. Baker might have been a great historian; Cole could never have been anything but an antiquary, omnivorous and undigesting.

Baker commences his history with an account of the Hospital of St. John, a house of canons regular founded by one Henry Frost, a Burgess of Cambridge, in the reign of Henry II., at one time a flourishing institution and under Edward IV. admitted to the privileges of the University, but in the beginning of the sixteenth century reduced to poverty and virtual dissolution by the excesses and misconduct of its members. The Lady Margaret, Henry VII.'s mother, appropriated the site and the name to her new College, founded in 1511 and opened for students in 1516.

In the course of his inquiry, Baker touches upon many matters of more than local interest, as, for example, the origin of the once famous Stourbridge fair, which was first held under a grant from King John for the maintenance of a hospital of lepers, within the precincts of the hospital itself, and gradually grew from small beginnings till a large tract of adjacent ground was annually covered with the booths of tradesmen, artificers, and vintners. In the sixteenth and seventeenth centuries Stourbridge fair rivalled the great Continental fairs of Frankfort and Beaucuire. It is

* *History of the College of St. John the Evangelist, Cambridge.* By Thomas Baker, B.D., ejected Fellow. Edited for the Syndics of the University Press, by John E. B. Mayor, M.A., Fellow of St. John's College. Cambridge: 1869.

frequently mentioned by the old dramatists, and we all remember the delight with which Pepps made his two days' journey from London to take part in the fun. Baker pleasantly expresses a hope "that this digression will not be unacceptable to scholars, being only a ramble from Cambridge to Stourbridge fair."

He gives many curious illustrations of ancient manners. Here is an extract from a sermon preached at Paul's Cross in 1550, by Thomas Leaver, who became Master of St. John's the year following. He is speaking of the "small number of poor, godly, diligent students, now remaining" in the Colleges at Cambridge:—

There be divers there which rise daily betwixt four and five of the clock in the morning, and from five until six of the clock use common prayer with an exhortation of God's word in a common chapel, and from six unto ten of the clock use either private study or common lectures. At ten of the clock they go to dinner, whereto they be content with a penny piece of beef amongst four, having a few porridge made of the broth of the same beef with salt and oatmeal and nothing else. After this slender dinner they be either teaching or learning until five of the clock in the evening, wheras they have a supper not much better than their dinner. Immediately after the which they go either to reasoning in problems or unto some other study until it be nine or ten of the clock, and there being without fire are fain to walk or run up and down half an hour to get a heat on their feet when they go to bed.

Queen Elizabeth came to Cambridge on the 5th of August, 1564:—

The next day being Sunday, Dr. Perne in his cope preached a Latin sermon before Her Majesty in King's Chapel upon this text, *omnis anima subdita sit*, &c.; about the midst of his sermon she sent the Lord Hunsden to will him to put on his cap, which he did unto the end, and after the sermon was over, ere he could get out of the pulpit, she signified to him by the Lord Chamberlain "that it was the first that ever she heard in Latin, and she thought she never should hear a better." In the evening she heard prayers again in the chapel, and this day had been well spent had not the conclusion been very different from the rest of the day. For the same day late and in the same place one of Plautus' comedies (the *Aulularia*) was acted before her by torches upon a stage erected in the chapel to that purpose, which she stayed out, though it held in acting till twelve o'clock at night. And yet this, which was innocent in Queen Elizabeth, when it came to be acted over again in a succeeding reign in a more inoffensive manner, was looked upon as so profane and scandalous as to alarm the nation.

In the eighteenth year of Queen Elizabeth the price of a quarter of wheat was 6s. 8d., and that of a quarter of malt 5s.

Dr. Whittaker, Master of the College from 1586 to 1595, kept his wife in town, according to a laudable injunction of Queen Elizabeth, generally observed till towards the times of usurpation, when all things run into confusion, and wives with their dependances were brought in to the disturbance of scholars.

In the year 1606

an order passed rather fawning than dutiful; for the King having expressed his dislike of tobacco by his *counterblast* fulminated against it, the University, to show how entirely they were in his Majesty's sentiments, passed an order against excessive drinking and taking tobacco. But notwithstanding the learning both of the King and the University that evil custom has prevailed when the King's book as well as the University's order is almost forgot.

Baker is jesting here in his dry way, for "that evil custom" was his own custom "always of an afternoon." He was about to fill his pipe when he was seized with his fatal stroke of paralysis, June 28, 1740.

When Clayton, the seventeenth Master, died in 1612, Bishop Neile ordered that his funeral should be very sumptuous; "a banquet was to be provided for all strangers, and the whole house to exceed that night in some extraordinary manner."

Under the date June 23, 1626, he tells a well-known story in his quaint way, not without a touch of superstition:—

A fish being brought from sea to Cambridge market, being cut up, a book was found in the bowels of the fish, which being a new way of sending books to Cambridge, gave some men a curiosity of looking into the contents; and being examined by Mr. Mead, it was found to contain a preparation to the cross, having been wrote by Richard Tracy in Henry the Eighth's time, as was supposed. This alarmed good men, and several accounts were sent of it, particularly by Dr. Ward and Mr. Mead, in two letters to Bishop Usher, who looked upon it as an admonition of Providence to prepare for sufferings. However this was, or whatever it did mean, it is certain troubles succeeded over the whole nation.

When Charles I. in his distress asked for a supply from the University,

the several colleges contributed their respective proportions; from St. John's was sent 150*l.* in money and 2,065 ounces and a half of plate. . . . This was sent to the King at York or Nottingham, not without some difficulty, having been conveyed through by-paths and secret passages; whereby they escaped the designs of Oliver Cromwell, who with a party of townsmen and rustics lay in wait near Lowler hedges to intercept it; and being vexed with a disappointment he returns to Cambridge soon after with a greater force, surrounds St. John's College whilst they were at their devotions in the chapel, carries off Dr. Beale, whom with Dr. Martin, Master of Queen's, and Dr. Sterne, Master of Jesus (three of the most active men in the business of the plate), he conducts prisoners with him to London, leading them through Bartholomew fair and a great part of the City to be exposed to and insulted by the rabble; where after much rude and insolent treatment they had the favour to be made prisoners in the Tower.

Baker's History closes with Peter Gunning, who was Master from 1661 to 1670. Then follows a catalogue of bishops who were members of the College. Both have been brought down by Cole and Mr. Mayor to the present time. The latter has given the lives of Bishop Herbert Marsh and Bishop Samuel Butler of Lichfield at great and disproportionate length, his reason being that "the one rescued the richest Professorship in the University from the suspicious company of 'valuable sinecures,' and introduced critical theology into England; the other was one of those reformers of our public schools whose merits have been unjustly

obscured by the name of Arnold." We do not ourselves rate Marsh's critical theology quite so highly. What, indeed, can be the worth of criticism which is merely devoted to the proof of a foregone conclusion? Butler was a more accurate scholar than Arnold, but he had not the wide sympathies and the moral influence which (making all allowance for the exaggerations of hero-worship) Arnold undoubtedly had. We have not space to follow Mr. Mayor into these topics, but we must not conclude without bestowing a word of praise upon the very copious indexes and tables of contents, which have been drawn up carefully, and, indeed, so far as we have tested them, with faultless accuracy, by Mr. Norris Deck.

Many muniment-rooms in Cambridge contain documents of great antiquity and historical interest. Those of Trinity College are now, as we understand, being for the first time chronologically arranged and catalogued. We trust that members of other Colleges will follow the example set them by Mr. Mayor in the present volumes, and by Mr. Searle in his excellent History of Queen's.

MAUDE.*

THE first impression of many readers on glancing over the pages of *Maude* is likely to be that Miss Whately is ripping up old grievances, and reviving an old story the central figure of which has long dropped out of public notice; and that, too, in a tone of rigid animosity scarcely fitted for the narration of bygone events, in which the actors, however mistaken, may at least be credited with good intentions. Modern English Sisterhoods are popularly supposed to have so far diverged from the original Devonport type that the awful rule of the first Mother Superior no longer illustrates the practice, discipline, and general animus of the similar associations for good works now spreading around us, and the subjects of enthusiastic sympathy, both lay and clerical. Miss Whately is perfectly satisfied, however, that her book is called for. What has been, she argues, may be again; indeed she intimates her conviction that the same spirit is still at work. Whether we agree with her or not as to the necessary Romanizing tendency of Sisterhoods, and the inevitable subjugation that they bring about of reason and judgment to an external guide, we must recognise a certain seasonableness in her main portrait. No one can study the character of her Mother Superior, as painted by herself, without feeling its appropriateness to the great question of the day—Papal infallibility. We need no longer wonder that Pius IX., with his magnificent antecedents and surroundings, and living in the perpetual fumes of an august flattery, should learn to think himself out of the reach of error, when we find a woman, backed by no precedent, strengthened by no splendour of homage, sustained by no external call, upheld solely by her own regal strength of will, capable of the same assumption, and, what is more, making her own infallibility the actuating principle of a band of followers.

One of these followers (for two years an ardent and cherished disciple) is the friend from whom Miss Whately has derived the facts and documents which she now gives to the world, and which her father, Archbishop Whately, thought so important that he proposed to edit them himself, and was only prevented by his death:—

The narrative which I now bring forward, and to the entire authenticity and absolute truth of which I pledge myself, is not of recent date. Nearly twenty years have elapsed since the events it relates took place. . . . The subject of this narrative, whom I have called "Maude Deersworth," is a personal and intimate friend of my own. She was the daughter of a gentleman of old family and good position, was introduced at an early age, and for the next few years was taken much into society, both in England and on the Continent. Some little time before the date at which this history commences she had begun to experience that awakening to serious thought, and that sense of the unsatisfactoriness of the pleasures of the world, which is so often felt by intelligent and earnest-minded young people entering on life.

For obvious reasons the names and persons referred to in this narrative are altered, but the disguise is too thin to mislead any reader. On one point we should have thought additional precision of statement desirable, and that is the exact age of the young lady whose religious experience is here related. We are led to suppose her young when she deserted her mother, but even in the different stages of youth different degrees of obedience are required to that parental authority which the Mother Superior regarded in all high respects as so inferior to her own. To satisfy the reader as to the exactness of all the conversations reported after an interval of twenty years, it is explained that "Maude," on her retirement from life in a Sisterhood, was led to make for her mother, while they were still fresh in her memory, very full and minute memoranda of the events of the two years during which she was more or less under Mother Angelica's influence; and these accounts she placed in Miss Whately's hands—she herself, we are led to suppose, still living to justify and verify them.

Maude's first intercourse with the Lady Superior—"Angelica, Yr M. S.," as she styles herself—was of her own seeking. In her unsatisfied, unsettled state of mind, a friend had made inquiries for her about the Protestant Sisterhood of Westonbury. This friend had sent so "interesting an account" of the young inquirer that the reply was an invitation to spend three months there and judge of the life of a Sister for herself. A correspondence was at once entered into, and that ascendancy for which the Mother Superior was so remarkable was established, but it was some time before Maude could accept an invitation so attractive to her. Lady

* *Maude; or the Anglican Sister of Mercy.* Edited by Miss Whately. London: Harrison. 1869.

Deerswood would not consent till the alternative seemed to be her daughter's conversion to Rome. But in the meanwhile Maude was exhorted to adopt habits of life which rendered her a very uncomfortable home inmate. Mother Angelica admits in her letters, which are given at length, that Maude must not adopt a Sister's life without her mother's consent, but she is indifferent by what means the consent is obtained. She is to behave in such a way as to be a bitterness to her mother, to *drive* her into a sanction; "only let it come from *her*." She is warned that the love of home is an "idol," and that all hindrances to her "call" are the work of Satan; she is to decline all society, to dress with scrupulous plainness, to keep the canonical hours, to tell everybody that it is only obedience to her mother that keeps her at home, and to decline all conversation on religious or theological subjects. And, finally, by hook or by crook, she is to secure an interview with Mother Angelica, who is willing to meet her at any place she may appoint, without her mother's knowledge. In fact, all heart allegiance is to be transferred to her new guide. Though Maude's conscience does not allow of the clandestine meeting proposed, yet the report of her "amiability and attractiveness," in addition to good social standing, clearly pointed her out as a member worth gaining to the community. And in the absorption of a great cause—in which she was to be the "foundress of a society to extend into all places and ages"—Mother Angelica clearly feels herself lifted above mundane scruples.

In due time her mother's consent is obtained for a three months' residence, which extends to twelve; in the sixth month of which Maude was made a "Grey Sister," "for which," added Mother Angelina, with a smile, "you need not ask your mother's consent, as it will not interfere with your duty to her." On this understanding she took the promise of obedience to the Lady Superior, subject to the mental reservation of obedience to her mother; but all her time, talent, and thought were to be given unreservedly to the community. She was to return home when Lady Deerswood absolutely commanded it, but her return was to be in obedience to her Superior. Wherever she was, her dress was to be held sacred, and her rule binding. Once impose the Rule of Obedience, and the Lady Superior probably felt herself safe of a Sister for life.

The history of the six months previous to this measure is not one to enable us to account for it. Mother Angelica's influence is scarcely intelligible upon paper, perhaps because all supreme assumption looks ridiculous apart from manner to bear it out, which the good Mother must have possessed in an imperial degree. It is certain that Maude accepted the Rule of Obedience, and made herself a Grey Sister willingly and gladly in a growing exaltation of spirit. The book is curious as a picture of the mysterious ascendancy which one mind can gain over another. First and foremost of course to this end comes absolute self-confidence. And this the Mother possessed to the extent of regarding all self-mistrust as a direct temptation of the Devil:—

To Maude she was always most caressing in manner. She generally spoke to her as her "precious child"; but in spite of this, Maude, when she first entered the Sisterhood, had an undefined dread of her resting on her mind, and this was involuntarily manifested in her manner, so that the Superior one day asked her the reason of her coldness towards her. Maude then confessed to her the kind of feeling she had of not understanding her, and the Superior replied: "In a religious house, my precious child, there are always a number of good angels; bad spirits abound also, and try to do mischief. *It is some evil spirit which makes you distrust me; and strangely enough at about the same time I have been tempted to distrust myself.*"

From this self-confidence flowed naturally the profound persuasion that the whole world would be benefited, not to say regenerated, by an implicit obedience to herself—an obedience which was to be in no sense mutual or reciprocal, for there is no authority which this Mother Superior thought it beyond her province to question. Thus she pronounced "Philip of Westshire the only bishop faithful to the Anglican Church," and even before him she had great difficulty in "placing things in their proper light." She said that "writing would not do, it was always necessary to see him"; and as for the secular clergy, "she would not allow her schools to be interfered with, or her children treated as district visitors by them." "They (the clergy) must be taught to regard the sanctity of the religious life." The persecutions of these gentlemen—the parochial clergy—were the sign of the Cross upon the work. Yet "her children," in the rules laid before the reader, are bidden to banish from their minds any question of the wisdom of the commands given them by her. "If ye have failed in this ye have failed to resist a temptation of the Evil One"—a tone surely worthy of that Bull lately issued which claims a specific spontaneousness of emanation from Pío Nono. The ascendancy of woman over woman is a far greater evidence of power than where man exercises this rule; and how Sisters and Novices were kept in the willing bondage of which we read here is an interesting psychological question. That it was the result of system acting upon a given temperament is clear. Sturdy, questioning common sense never places itself voluntarily out of its own control, and certainly would have been little impressed, and not at all persuaded, by the rule and manner here described. But enthusiasm responds to a high hand, invites trial, and likes interference, and it was upon minds of this order that the peculiar character before us was fitted to act. The mingling of caressing with severity, the perpetual presence of authority with personal seclusion, the care not to make herself common in their eyes—till it was esteemed the highest privilege to wait on the "dearest Mother" even in a menial capacity—the alternate confidences and reproofs, the rule never to discuss her acts or commands among themselves,

never even to speak to one another without her sanction, the long hours of compulsory silence, the strict exclusion from all external influence—nothing to be done without her orders, nothing to be read beyond the books and papers imposed by the rule, nothing written which she might not see—the command to keep for her inspection a diary of their thoughts, the penalties attached to all breaches of a rule that penetrated into and pervaded every movement and thought of the day—all told with a constraining though sometimes irritating sway. She made herself everything to them. And enthusiasm was sustained, while it lasted, by the exaltation of a calling peculiar in its supernatural privileges and perils, and distinguished by extremes of human praise and blame—by a life of constant change, bustle, and movement, strangeness and dissociation from old habits, ceaseless services, ceaseless work, picturesque self-denials, and a sense of immense usefulness in labouring among the poor and destitute. Once breaking loose from the spell, the reason avenges itself for the thralldom it once endured; and Maude, who had worked and obeyed and taken all on trust for a time, willingly amuses the reader with some experiences which seem absurd enough to worldlings accustomed to bow to the impossible. Thus on one occasion the Mother sends Maude into the town for some coloured cloth which was wanted in the oratory. She went to every shop, and could not procure it. She was sent out again with an order not to return without it. After a fruitless search, she came again, saying it was not to be had in Portlyle:—

"Indeed, dearest mother, it is not to be got here."

Mother Angelica looked at her with grave rebuke, and desired her to follow her downstairs. The Sister knew that something was wrong;—but what? "Maude, do you know that you have contradicted me twice!" Much conversation followed upon the respect due to Superiors—the rules—humility—and the result of it was, that Maude felt strangely culpable for having presumed to think differently to the Superior, asked her forgiveness, kissed her hand tenderly, and set to work again in more blind obedience than ever. However the cloth was not procurable in Portlyle.

Her emancipated reason questions the implicit obedience of one Sister who, living in a solitary tenement engaged for the Sisterhood in one of the low courts of the town, was found, when relieved by a companion, surrounded by stale loaves; for which a daily order had been given by the Superior when the place was fully occupied. She had, it seems, felt it to be inconsistent with her vow of obedience to countermand them. Again, on looking back, Maude is alive to much neglect, to unnecessary and unjustifiable exposure of delicately nurtured young women to the perils of low neighbourhood, and the terrors of night, cold, and darkness, endured for no good reason. She recalls the hysterical fears of a poor girl who was left for days alone (her letters of appeal unanswered) in a house swarming with rats, and the frenzy of alarm she and others had experienced from a combination of real and fancied perils in solitary courts, their doors assailed by drunken revellers: or when roused from their sleep after a hard day's work to fulfil some commission of the Superior's which they could only feel to be important because it was hers and tested their obedience—things inevitable where a fallible mortal wields irresponsible power over the daily life of others, and holds explanation or remonstrance to be deadly sins. At the time, we have little doubt that the poverty enjoined upon the Sisters as a grace was the more acceptable and meritorious because it never bore the mark of vulgar necessity. Their dresses grew old and shabby—sometimes a good deal worse than shabby; they were forbidden gloves and umbrellas, and trudged in all weathers through mud, rain, and cold. But money was always forthcoming for large purchases for the decoration of oratories, for furnishing with appropriate fittings the apartments where the Superior received her guests, for cabs, parcels, and hot-house flowers, which on fête days were ordered from London and came packed in wool. But in another state of mind it may occur to one of these sufferers that the mere postage stamps of which the system was so lavish, and the carriage for the railway parcels which she was waked up to deliver, might have kept the whole Sisterhood in shoes, gloves, and umbrellas, for the want of which many a cold was caught, one at least of which had a sad ending.

It is not part of Miss Whately's task to narrate the good works done in the community during her friend's connexion with it. What she grants she grants grudgingly, while admitting that the system of implicit obedience enables much to be done by a small staff—over-worked, but yet willing. Relief of the poor demands, she thinks, more judgment than could be shown by young women sent with their hands full of cans of soup into the lowest neighbourhoods. Nor was such judgment as was at their command exercised, for they were not permitted to turn aside from the appointed goal at the most urgent cry of distress. But service among the poor was not the end for which the Sisterhood was founded, which was to introduce the religious life (technically so called) into our Church. The "obedience" indicated was itself technical, and incompatible with life anywhere but under a Superior, so that any one breaking from the rule, or separated from it by necessity, would have acquired no habit available to her under new circumstances.

Such as it was, this obedience needed constant strengthening and renewal from the presence of the Superior. Maude, we are led to suppose, was made of stronger stuff than the community generally, and was marked out for offices of trust, and ultimately for the direction of a branch from the main body. She even observed that her trick of thinking for herself, which could not be wholly subdued, made her services more valued, but this propensity is apt to recur at inconvenient times; and, being left too long alone in

"Wiggins Court," the isolation and excitement of solitude produced a train of thought which Miss Whately treats as conversion, and which was the beginning of the end of Maude's association with the community. "She found herself, in spite of all admonitions, revolving in her mind the question whether this or that which Mother Angelica had ordered was really the right thing. Was anything contrary to the dictates of common sense, not to say humane consideration, to be really looked upon as God's will?" Then she thought, among other things, of the asceticism of "child Eldred," who had scruples against washing herself which issued in unpleasant results. When private judgment set in, where was it to stop? Then came illness from over-work and over-strain, in which she was left to a sense of neglect; at the end of which came a "command" from Lady Deerswood to return home, issuing in a clash with the Superior—for Maude refused to take the line imposed upon her obedience. The interview ended in the following remarkable words:—

"You know, my child, that believing in the principle of holy obedience is a grace of God; the conviction comes in the practice." After dwelling much on the "grace" and power there was in obeying, the Superior, placing her hand on the head of Maude, who was still kneeling by her side, said, "My child, when you hear me speak you should think it is the voice of Jesus Christ."

This utterance we regard as a case of that experimentalizing which bold enthusiastic spirits try upon themselves and others. Maude was startled, and the Mother, seeing her startled, was perhaps startled too. She was used to carry things by self-assertion, and to be justified by success. When it failed, there came inevitably self-mistrust. "No reference was ever made to the subject again." Maude returns home still in community with the Society, and in correspondence with the Mother relates to her, as in duty bound, everything that passes. Lady Deerswood, disgusted by her daughter's dress, insists at least on neatness. A new grey dress is bought of the prescribed pattern but of softer quality. The remonstrances and reproofs—the sound rating in fact—which Maude receives on these returns to the world are impolitic in their bitterness. We note, too, that she who regarded a mother's natural feelings as so little worthy of consideration complains of her own feelings being wounded, and formally sets the natural and spiritual relation of mother in the light in which she regards them:—

And now, my child, if you have it [obedience] not—if you are changed—if you are faithless, I free you as far as I can free you. I cannot break your promise. You bound yourself to me by a sacred tie, and that bond will stand at the Day of Judgment, gloss it over now however successfully. THESE TIES SPIRITUAL AND NOT NATURAL ARE ETERNAL.

This and much more equally awful and denunciatory language might have frightened most of the spirits she had to deal with, but with Maude "it broke the spell"—we presume finally and completely.

We do not believe there are many Mother Superiors of any communion capable of these heights of self-assertion, or of identifying in the same undoubting spirit the cause to which they are devoted with their central place in it. But it is useful now and then to contemplate the extreme results of a system. Wherever implicit obedience is demanded, and reason is put down with a strong hand as at once unspiritual and inconvenient, there somebody has to command and impose more than is good for him or her. It may be said—which we would by no means assent to—that no Sisterhood can exist without it; that no work can be carried through effectually on any other system; but even if we were sure of the goodness and value to humanity of the work thus effected, it would be doubtful whether it ought to be done at the cost of turning a human being into a machine. In fact no one is far-seeing enough to judge of results, and that is a true saying—"It is better to do right than to do good."

HOME LIFE OF SIR DAVID BREWSTER.*

WE are not at all sure that, if a second Solon were asked at the present day what man he deemed the happiest of all those whom he had seen, he would not at once name some one renowned for his discoveries in science. In spite of the disappointments which scientific discoverers meet, the neglect under which they too often suffer, the poverty which not unfrequently is their lot, there is that in their pursuits which inspires them with an enthusiasm which does not wear out till life itself is worn, and with a hope which they carry with them even to their grave. They are not, like the historian and all who deal with the past, threshing out once more the straw which has already been threshed and threshed again; they have not as the subject of their meditations the folly and wickedness of mankind. If they are, as Newton says, like children playing on the sea-shore and diverting themselves now and then with a smoother pebble or prettier shell than ordinary, nevertheless the ocean of truth lies before them undiscovered and discoverable. Their life is one of hope, and of hope founded on reason. They know that it is no lottery into which they have put, but that with hard work and patience truth after truth will most certainly be discovered. Their appetite for discovery never seems to be satiated, and they die, not with a longing after rest, but with a hope that they are but entering upon yet vaster fields of knowledge. In the ordinary paths of life they find pleasures which are unknown to other men. Consciously or unconsciously they are watching and reflecting upon every

object or occurrence in nature, and finding sources of interest as manifold as is Nature herself. There are not many of us who could say, with Benjamin Franklin, "I should have no objection to go over the same life from its beginning to the end." Among these few, however, we believe we should find the men of science largely represented. The *Home Life of Sir David Brewster*, so far as it goes, testifies to the truth of these reflections, into which we have been led by the perusal of not a few lives of scientific men. Living to his eighty-seventh year, he died, though with perfect resignation, yet "bitterly regretting that, as there is so much valuable work now being done in promoting the prosperity of the University of Edinburgh," he was not able to assist in doing it. He could speak "with deep feeling of the happiness he had enjoyed in life," and two days before his death he was still so interested in this world that he explained "minutely and energetically" some phenomena in his favourite science of optics, of which he had become aware as resulting from failing eyesight. Yet Brewster's life had been by no means an easy one. He was nearly sixty before he was finally relieved from pecuniary embarrassments, and for years he had been involved in a lawsuit the loss of which would have been utter ruin to him. Whether the violent controversies in which he was so often engaged tended to lessen or increase his happiness it is not easy to say. We are rather inclined to the opinion that to a man of Brewster's temperament controversy is quite as needful for health and happiness as exercise. Some men cannot digest their food without the aid of a sharp walk or a hard ride; Brewster, like his friend Lord Brougham, could, we imagine, ward off dyspepsia by a violent attack on an opponent. Happily for himself, too, in all the controversies, feuds, and lawsuits in which he was engaged he was "always thoroughly and singularly unconscious of any fault in himself." When a friend of his once gently remonstrated with him "in regard to the somewhat unmeasured terms in which he spoke of Whewell in his review of the *Plurality of Worlds*," and said that "such expressions were calculated to hurt his feelings"—"Hurt his feelings," broke in Sir David, "why, it is he that has hurt my feelings!" And yet so far there had been no controversy between the two. Brewster had always strongly believed that there are other inhabited worlds, and when any one, as Whewell did, took the opposite view, he felt personally injured. Whatever amount of happiness he may have derived from his irritable disposition, a nervousness which was no doubt closely connected with it must have long been a source of suffering to him, though at the same time, as it led him to withdraw from the ministry in the Scotch Church, it may perhaps not have materially lessened his happiness. So little fitted indeed was he as a young man for the duties of a Presbyterian clergyman, that on one occasion, when asked to say grace at a large dinner-party, "the words choked in his mouth, and he sat down in a faint." For a guest to have fainted from long fasting during the grace must have been, we should imagine, no such unusual occurrence in Scotland; but for the minister himself to have swooned away gives one an awful idea of what had to be gone through before the creature comforts could be reached. This nervousness seems to have accompanied him later in life than we should have expected. When he was thirty-three years old, he thus in a letter speaks of the efforts he was making to shake it off:—

I am trying as hard as possible to get impudent. I began this new career by calling upon Mr. Sylvester, the chemist at Derby. I tried it a second time at Oxford, and introduced myself to Dr. Robertson, Savilian Professor of Astronomy, and I hope to have soon some other opportunities of showing off my new acquisitions in this way.

Still, in spite of this nervousness and of vexations enough which he met with, Brewster, to judge from this work of his daughter, seems to have spent an unusually happy life. How far, however, a man's daughter is well fitted to write his biography is another question. No doubt she has certain qualifications for her task which no one but a child can possess. She has the closest familiarity with the character and the habits of him whose life she is writing, and at the same time her labour is a labour of love. Whatever faults her work may have, at all events it will not be chargeable with ignorance of its subject, or with want of enthusiasm. And yet, if her father has been a distinguished man, it will be next to impossible for her not to exaggerate greatly, on the one hand his merits, and on the other hand the interest the world takes in them. Dr. Johnson tells of a man who introduced himself as "the great Twamley, the inventor of the flat iron." Now, if the great Twamley had had a biographer in his daughter, we should have had a great deal of fine writing in praise of the flat iron, and a great deal of argument in proof that to Twamley, and Twamley alone, belonged the merit of its invention. Now the world in general, while willingly using the flat iron so long as it is a good thing, cares much more for it than it does for its inventor. If there were many kings before Agamemnon, there were many inventors before Twamley or Brewster. Perhaps the man who did most for the material comfort of the human race was he who first made a vessel in which water could be boiled. As long as his name remains unknown, so long may our modern inventors be satisfied with the reflection that they share neglect with better men than themselves. It is hard no doubt for an inventor, or an inventor's child, to understand how little the world is interested in considering the exact degree of merit to which he is entitled. And yet if he himself is not to be an intolerable bore through life, and if his biography is to be readable, this fact must be brought home to the minds both of the one and the other.

* *Home Life of Sir David Brewster*. By his Daughter, Mrs. Gordon, Author of "Work," "Lady Elinor Mordaunt, or Sunbeams in the Castle," &c. &c. Edinburgh: Edmonston & Douglas. 1869.

We confess, for ourselves at all events, that we were not able to read through those pages in Mrs. Gordon's book in which she proves that to Sir David Brewster, and to him alone, belongs the honour of the invention of the Lenticular Stereoscope, and of "the introduction of the Holophotal system into British light-houses." At the same time we feel grateful to her for the information she gives us about the derivation of "Stereoscope." We learn that "it is derived from two Greek words—*στερεός*, solid; *σκοπεῖν*, to see." That our understandings are not similarly illuminated as regards Lenticular and Holophotal is, we think, a good ground for grievance.

Mrs. Gordon's filial piety leads her to bore the reader, not only with her father's inventions, but, what is much worse, with his poetry. Versification itself is one of those actions which are indifferent so long as they are not done in public. Strict respect for decency, however, requires that the verses should not be suffered to be seen. Mrs. Gordon herself perhaps is not to be so much blamed, as in certain cases she merely republishes what her father had previously given to the world. When he was about twenty, a young lady to whom he was much attached unhappily died. We all know that on such an occasion the proper thing to do is to write a poem, and to publish it; that is to say, if any magazine can be induced to accept it. Brewster showed the depth of his feelings and the ardour of his attachment by writing "a poem of twenty-four stanzas on the occasion, which was published in the *Edinburgh Magazine*." No doubt by the time he was twenty-one he was as heartily ashamed of his effusion of the year before as any other young man would be. Unfortunately, however, "a copy is retained in the family as an interesting relic of the past," and so we learn that a gentleman who afterwards was so far consoled for the loss of his mistress as to get twice married had announced his intention of spending the rest of his life in company with the gravedigger of the parish in which she was buried:—

As for me I'll ceaseless wander
Round her verdant, hallowed grave,
Where *Leithen's* crystal streams meander,
Joining *Tweed's* proud classic wave.

Mrs. Gordon, however, has not only to establish her father's claims as a poet and man of science, but also to defend her grandfather's reputation. The grand-daughter of Ossian Macpherson could not be expected to suffer the shades of Johnson to rest undisturbed, and so the arguments on the Holophotal system and the Lenticular Stereoscope are supplemented by discussions on Fingal and "Sassenachs with Dr. Johnson at their head." Brewster, we are told, "never had a moment's doubt as to the complete and entire authenticity of the poems." It must be a disagreeable thing to believe one's father-in-law to be an impostor, and Brewster secured his domestic peace, perhaps at the expense of his reputation for sound judgment, by never doubting for a moment what no sensible man ever for a moment believed. It is amusing to see the fury with which in his last years he in his turn fell on M. Chasles, who was rather the victim of an impostor than, like Macpherson, an impostor himself. But then M. Chasles had attacked his idol, Newton, and, presumptuous man that he was, was neither a Scotchman nor Brewster's father-in-law. When we add that, in addition to the Ossian and the Chasles controversies, we have Junius and Sir Philip Francis, table-turning and spirit-rapping, the reader will wonder, if this is the home life of Sir David Brewster, what will be his public life.

Brewster has not yet been dead two years, and we cannot but think that the publication of his life is somewhat premature. A daughter, writing so soon after her father's death, can scarcely keep the due proportion between his dying hours and his working years. If she had kept back her book for a somewhat longer time, she would have more clearly seen that to the world Brewster is interesting as a man of extraordinary energy and will, and not as dying an orthodox member of the Presbyterian Church, in "an unusually full and free acceptance of the long denounced doctrine of 'assurance.'" We can hardly imagine that the last seventeen years of the life of so hard and earnest a worker were more interesting than the first seventy, and yet we find that, while 220 pages are given to the former, the latter are comprised in 197. If his whole life had been told at the same length as its decline, more than 1,000 pages would have been required. If, on the other hand, as would have been much better, the same brevity had been used throughout, 250 pages would have been amply sufficient. Mrs. Gordon, however, is not specially chargeable with this fault; she merely shares it with most other biographers. In the sunset of life not only do "coming events cast their shadows before," but passing events cast as long a shadow behind. We are not surprised, however, that a daughter should linger round her father's death-bed, and Mrs. Gordon perhaps has more justification than most other biographers. For her father's death was characteristic of his life. It must have been a touching sight to see the aged man struggling to add one more week of hard work to the fourscore years during which he had laboured so hard. At last he had finished everything; written his letters, arranged his papers, and played two games of dominoes with his little daughter. He then rose up to go to lie down for the last time. "As he left his study he said quietly, 'Now you may turn the key, for I shall never be in that room again.' When he undressed he said, 'Take away my clothes, this is the last time I shall wear them'; and when he lay down, 'I shall never again rise from this bed.'" In three days he was dead.

Though we have found much to criticize in Mrs. Gordon's book, there is not a little to praise. By the aid of omissions alone it might be rendered very interesting.

MISUNDERSTOOD.*

THERE is enough that is exciting in our social developments to make us anxious for trustworthy information on some important subjects, but our search for true facts is constantly disappointed. Our hopes from realistic literature were long since dashed, and indeed we found for the most part that realism meant caricature. Probably the last source from which help will come to us in our social entanglement is the overflowing bookstall of the age. But the disappointed reviewer who does his heavy job of page-turning at Christmas with a growing conviction of the futility of most books is proportionally relieved when he comes across a work, however slight in form, which has not been manufactured to suit any of the half-dozen tastes which rule the market. Though Miss Montgomery had written already a pretty tale of infantine sorrow and parental tenderness, we were not prepared for so faithful and suggestive a picture of childish life as her new story *Misunderstood*. And such a picture is valuable, for the early stages of youth appear to be less and less comprehended as we drift further into the vortices of civilization. Perhaps it is because the art of training children is becoming extinct that there is so loud an outcry about education, and so eager a search for some new system that shall replace lost or obsolete traditions of sound instruction.

Now, without lecturing, the author of *Misunderstood*, by a vivid sketch of two little boys and their adventures, conveys some lessons that are not inopportune in the present muddled state of our ideas of home duties and nursery management. She is justified in saying that her book, though about children, is meant for parents; for though a mind of six years' growth might appreciate it, it hits more than one blot in the ways of our generation. It is true that Miss Montgomery chiefly concerns herself with one slight and common item in the ill-treatment of our new and improved children; but her account of her little hero is so accurate in detail, and so evidently taken from a living model, that she reminds us uncomfortably of the fact that there is certainly a general decrease in the benefits of home-training for that neglected class, the sons and daughters of the rich.

The story of *Misunderstood* might be epitomized in a sentence, but the figures of the two little boys whose life is described in it are very carefully studied. The obscure sorrows and joys of childhood little regarded by grown-up people are described with the appreciation of a really imaginative artist. True pictures of child-life are getting scarce as literature becomes more and more a trade, and taste is coarsened by the continually renewed excitement of showy illustration or partisan skirmishing. Child-life itself does not sufficiently appeal to passion and sensation to claim strong interest from our hurried intelligence, yet its problems cannot be neglected. Mechanize the world as we may, we have not yet heard of any scheme by which children can be ignored without serious mischief to society. So it is as well to accept the situation, and see what can be done to remedy modern shortcomings in the nursery, though, when all is said, we have but to confess once more that only a mother can really be trusted with "the fiend hid in a cloud, helpless, naked, piping loud," as Blake wrote of that mystery infant.

Miss Montgomery points out how it is possible to injure a child by merely misunderstanding him, and it is not pleasant to think of all the mischief that is done by rash and selfish condemnation of what may be the noblest qualities. She somewhat strains the probabilities of an ordinary English home, and her little hero has unusual opportunities for getting into mischief, but we do not complain of the incidents which develop his character. He is the eldest of Sir Everard Duncombe's two boys, Humphrey and Miles; and as intensely loving, volatile yet earnest, as Miles is gentle and tame. We know in fiction few children more thoroughly childlike for good and evil than this headstrong little man of seven. Our great literary artists have given their readers many more elaborate paintings of ideal children, but Miss Montgomery has touched finely some characteristics that probably only a woman, and a keenly perceptive woman, would have understood. Sir Everard is a mere discreet walking gentleman, not a bad father as fathers go, but still an impersonation of the ignorance shown by parents who see little of their children. To have described one of the indifferent mothers whom modern society forms by the hundred would have led Miss Montgomery on ground on which she perhaps did not care to enter, and so she has disposed by death of Lady Duncombe two years before we are introduced to the family at Wareham Abbey. Humphrey, manly and high-spirited, had been his mother's favourite; but Sir Everard petted Miles, whose caressing ways and likeness to Lady Duncombe gratified the tired London man during his Sundays in the country. The superficial thoughtlessness of Humphrey which corresponds to passionate and earnest craving for all that life can give is true to childish nature, where the like strange oppositions are not unfrequent before the wear and tear of life has levelled character to what is called consistency. "He has not much heart," thought his father, because of Humphrey's noise and restlessness. Yet "there was a full-length picture in the now unused drawing-room of Lady Duncombe with Humphrey in her arms, and at these times,

* *Misunderstood*. By Florence Montgomery. London: Richard Bentley.

or when he was in some trouble with Virginie, the boy would steal in there, and lie curled up on the floor in the darkened room, putting himself in the same attitude that he was in in the picture, and then try to fancy he felt her arms round him, and her shoulder against his head." He was devoted to her, and venerated all that had ever been hers as some mystic might adore a gracious saint, and with a vehemence of passion which often in children seems quite out of proportion with their other powers. The process of tuning down a child's feelings to the warmth suitable for his older life is severer than in our "grown-up" absorption we care to remember. As he wrestles with the forces of the world—very monstrous to him, however reasonable they may seem to those who have organized them—he is apt to break down or break out if he has no mother's breast to sob and sulk upon. Where children are persistently "misunderstood," the damage to their finer qualities and powers is incalculable. Now it is given only to parents to comprehend the nature of their infants in the way that will educe its best parts; hence the desolation and evil of orphanage, so dwelt upon by the wise of those ages when nurseries were not at the furthest end of the house, and when society was less imperative than it is now in its demands.

Sir Everard Duncombe put his boys in charge of a French nursery governess just sufficiently "superior" to neglect her pupils with decency. Moreover she had nerves, and so was constitutionally unfit to manage the vigorous Humphrey, whose luxuriant vitality must have given her constant shocks. Her reports to his father strengthened his prejudice, and the boy's versatility was judged to be frivolous and shallow. Now, whatever children are, they are seldom shallow. It is because they are often deeper and wiser than their elders that their training is so difficult. Montaigne understood that they were not pretty puppets when he wrote, "que la plus grande difficulté et importante de l'humaine science semble estre en cet endroit où il se traite de la nourriture et institution des enfants."

The arrival of a sailor uncle fired Humphrey with ambition to emulate the deeds he heard of, and Virginie's remonstrances were unavailing to check his enterprise. Loving little Miles better than anything [except his mother's memory, he included him in all his schemes, with much damage to the delicate child's spirits and health. Some wild orgie in a dewy meadow, some deep conspiracy to outwit Virginie, was generally on hand; as, for instance, that important expedition, while all the household were asleep and Virginie's head well wrapped in flannels, to get mushrooms. Sudden contrition seized Miles when he surveyed the state of his legs, which had been engaged in smashing a heap of toadstools. The boys remembered that they had not said their prayers. "It wouldn't be right," suggested Miles, "to say them out of doors." Humphrey decided that they might "under the tree," but that it would be better to take off their hats as people did in church. Miles, however, who was used to follow Virginie, knew no prayer. Humphrey instantly gave the subject his earnest attention, and proposed that Miles should say his grace, but the only grace Miles knew was to be said before meat. Hence a new case of conscience and much debate, that reveals, not the shallowness, but the depth of childish conscience. One of the most charming bits in the book is the account of Humphrey in church, when his imaginative appreciation of the description of heaven in Revelations with its jasper sea and "great multitude" is in sharp true contrast with his delight in a wasp's absurd attacks on his uncle. His childish fancies were echoed in the hour when the throbbing and singing in his aching head recalled to him the dreams of that Sunday, and the surge of fevered blood in his veins seemed the sound of countless singers welcoming him to his mother's arms. For Humphrey, and not Miles, was the victim to the neglect of those around him. He was thoroughly, because involuntarily, disobedient; lawless from very nobleness, because he did not realize evil, and was altogether free from the self-consciousness which keeps many children well behaved. One day he forgot his father's warnings, and, incited by Uncle Charlie's yarns, he climbed, little Miles following, along a rotten bough that overhung a pond. The bough gave way, and some reapers saved the boys from drowning, but Humphrey's spine and head were hurt, and the doctors announced that he must die, or be a cripple for life. "All the king's horses and all the king's men will never set Humpty Dumpty where he was again," was poor little Miles's moan. Of course the end is overloaded with sadness. It was too great a temptation not to work on our feelings by Humphrey's death-bed, but we confess we do not care for Sir Everard's sorrow and the child's half-delirious fancies. It is chiefly because the little fellow was thoroughly healthy in mind and body that his portrait is valuable. Surely there is no need to invoke disease for heightening interest in the strange thoughts of unfolding souls. They see facts in so different a light from us that they continually suggest, to those who observe them, new aspects of life which are sometimes irradiated by the "clouds of glory" seen by Wordsworth. We wish we could quote the history of the ear-trumpet, of the aborigines, and of that spiteful jackdaw which Humphrey nursed and bore with so tenderly because he had long since crippled it by a chance blow.

We must, in conclusion, congratulate the author of *Misunderstood* on the good English which she is careful to employ. If there be wit in using the jargon of the illiterate classes, at least it may be reserved for the entertainment of grown-up persons. Books for children should be tolerably pure in style, unless we wish to hurry on still faster the intellectual decline which always follows the debasement of language. Some modern writers, even

of the first class, are a bad exchange in boys' hands for Defoe and Swift. Miss Montgomery has deserved to please her readers, and if by ever so little her book can attract attention to that increasing neglect of children which is an ugly symptom in our family life, she may serve well the careless class for which she writes. Probably few children have so bad a time of it as the splendid dolls of good society.

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Sums Insured thereby £323,213 0 0
Yielding in New Premiums 14,136 12 5
Invested Funds 1,162,764 2 0
Amount of Life Insurances in force 4,450,000 0 0
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2. An Abstract of the Valuation of the Policies.
3. A Table of Bonuses to Policies of all durations.
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Age in Policy.	Original Premium for £100.	Cash Bonus for the Year.	Net Premium for the Year.
£ s. d.	£ s. d.	£ s. d.	£ s. d.
20	1 8 8	0 19 4	0 19 4
30	2 5 8	1 4 5	1 4 5
35	2 14 11	1 7 5	1 7 6
40	4 5 6	3 3 9	2 2 9

The Gross Income of this Society is £156,000. The Policies in force now amount to £3,000,000, of which £1,800,000 are at English Premiums, and the Assets exceed £850,000. The Cash Bonuses to the Assured, from the Year 1834, have amounted to £600,000.

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Sum Assured—inclusive of Bonus Additions—at that date 5,380,750 3 11
Estimated Liability thereon (Northampton Table of Mortality, 3 per cent. Interest) 1,481,539 0 4
That is less than one-half the Fund invested.
Total Amount Assured, inclusive of Bonus Additions 2,905,869 19 9
Amount of Profits divided for the Seven Years ending 30th August, 1868 532,369 7 8
Annual Income 314,867 14 3
Total Claims paid—inclusive of Bonus Additions 6,827,044 7 7

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